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**BRUSSELS BULLETIN NO. 523**

18 November 2016

Track national parliament scrutiny at [www.ipex.eu](http://www.ipex.eu)
LVI COSAC Plenary takes place in Bratislava

On Monday 14 and Tuesday 15 November, the LVI COSAC took place in Bratislava, as part of the parliamentary dimension of the Slovak Presidency of the Council of the EU.

Session 1: State of Play of the Slovak Presidency of the Council of the European Union

Robert Fico, Prime Minister of the Slovak Republic, began by stating that the September Bratislava summit had been one of the key moments of the Slovak Presidency. The meeting had taken place outside of Brussels to create a "new, vivid picture", and the boat trip taken by EU leaders was symbolic both because of the Danube river connecting much of Europe, and because "we are all in the same boat". The Declaration and Roadmap agreed at the summit, with objectives including restoring full control of the EU’s external borders; ensuring internal security and fighting terrorism; strengthening EU cooperation on external security and defence; and boosting the single market and offering better opportunities for young Europeans; showed that the Presidency had focused on the right priorities. Fico then recalled the priorities of the Slovak Presidency: an economically strong Europe; a modern single market; sustainable migration and asylum policies; and a globally engaged Europe. Looking at the progress made since taking over the rotating Council Presidency on 1 July, he highlighted:

- enlargement policy: two new chapters had been opened with Serbia and Council conclusions agreed on Bosnia;
- trade policy: CETA had been signed by the EU and Canada;
- control of the EU’s external borders: the European Border and Coast Guard had become operational as of October 2016;
- climate change: the Paris agreement had been ratified by the EU.

Turning to the issue of Brexit, Fico noted that the Slovak Presidency had already met with the Commission's Chief Negotiator, Michel Barnier. In Fico's view, the future relationship between the EU and UK would be a new model, different from those already agreed with Norway or Switzerland. Over 800,000 Slovak citizens (along with over 1 million Poles) worked in the UK; any new model would have to take into account the national interest of those countries, and Fico noted the ongoing concern over whether EU citizens in the UK would have second-class status. According to Fico, the negotiations would be tough. The EU’s aims were to have the best possible relationship with the UK; for any new agreement to underline that it was impossible to have a better deal by leaving the EU; and no “cherry picking” when it came to the four freedoms. He also emphasised that the EU had to act as a Union of 27 Member States, and he called on Member States to avoid separate meetings.

According to Fico, the EU had been too introspective and engaged by its own problems. The Lisbon Strategy had been downgraded, and it seemed as if Europe 2020, its successor, would also fail to increase competitiveness as promised. The US election result showed that the world was different from the picture given by the media. The EU had to change and had to respond to citizens' concerns, otherwise its problems would increase. National Parliaments had to have a stronger role.

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1 The Bratislava summit, on 16 September, was a meeting of the 27 Heads of State or Government, the UK being the absent EU Member State. The aim of the meeting was to begin a political reflection on the future of the EU as a group of 27.

2 The Lisbon Strategy was agreed by EU leaders in 2000 and had, as its aim, more employment, economic reform and social cohesion.
Debate
In the subsequent debate, comments covered Brexit, youth unemployment, citizens' trust in the EU, the migration crisis, the EU-Turkey deal, and the US election and its potential consequences for the EU. Responding on behalf of the Slovak Presidency, Ivan Korčok, State Secretary of the Ministry of Foreign and European Affairs of the Slovak Republic, said that youth unemployment was an extremely important issue and the Presidency hoped to reach agreement in Council on additional resources for initiatives to tackle the problem. Turning to migration, Korčok said that it had always existed and would always exist, but the problem was that it had become unsustainable. The EU had lost control of both its external borders and citizens' faith in its ability to manage the crisis.

Session 2: Strengthening the role of national Parliaments in the EU
Frans Timmermans, Commission First Vice-President responsible for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights, began by stating that what was happening in the world would affect Europe. Turning towards the EU, he noted that all institutions and actors had to work together better than they had done before. The EU could not be strengthened at the expense of Member States, and there was a need to engage national Parliaments in the work done at EU level. That said, whilst scapegoating the might Commission feel good, it would not help. Timmermans then commented on the revised posting of workers Directive, on which 14 Chambers from 11 Member States issued a Reasoned Opinion, triggering a yellow card. Timmermans said the goal of the proposal was to prevent abuse and ensure that employees received the same pay for the same work in the same place. For him, any objection on the grounds of subsidiarity or proportionality should focus on whether the instrument proposed was the right one, and whether the EU had the right to propose it. As the draft Directive was amending an existing instrument, he said that it was hard to argue a breach of subsidiarity. In Timmermans' view, therefore, the yellow card was down to political reasons, as had been the case for every yellow card triggered before.

Timmermans called on national Parliaments to support efforts on the Commission's REFIT platform. As a former national Parliamentarian, he said that he knew how national Parliaments thought: they wanted to do new things, and had less interest in reviewing legislation. Now, he worked for the institution everyone hated. However, Timmermans emphasised that much of the time, the EU was blamed for issues created by gold plating at national level. Timmermans concluded by focusing on the relationship between the rule of law and democracy. The democratic system was based on those in government respecting the limitations of power by the rule of law. The essence of democracy was about the respect of minorities as well as work carried out by the majority. If democracy was seen as a "winner takes all" model, it would fail. For Timmermans, the EU was a Union of minorities.

Debate
In the subsequent debate, comments covered the democratic gap between citizens and institutions, the merits of the various cards at national Parliaments' disposal, and the role of national Parliaments themselves. Ana Birchall (Chair of the European Affairs Committee, Romanian Chamber of Deputies) opposed a suggestion, put forward by the Presidency in a background paper, to adopt the red card, as set out in the now-defunct settlement for the UK. In her view, a red card would not have made a difference, and it would be odd to have the Council considering the opinions of national Parliaments. Treaty change was not required for the Commission to take more account of the opinions of national Parliaments; what was needed

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was a change of attitude. Günther Krichbaum (Chair of the EU Affairs Committee, German Bundestag) advocated earmarking one session of the COSAC plenary for the Presidency to unilaterally select a topic, giving them full flexibility to amend the session at short notice to reflect current events. He also noted that many of the EU’s problems could only be solved using the community method, which required giving up some national competences. Regina Bastos (Chair of the European Affairs Committee, Portuguese Parliament) highlighted a new green card initiative from the Portuguese Parliament on financial transparency.

Stefan Schennach (Vice-Chair of the European Union Committee, Austrian Federal Council) called on the Commission to stop hiding behind delegated acts. Danuta Maria Hübner MEP (Chair of the Committee on Constitutional Affairs, European Parliament) said that national Parliaments could promote the participation of citizens in EP elections. In her view, the EP and national Parliaments should invest in better ways of dialogue and joint political debate. Lord Boswell (Chair of the EU Select Committee, UK House of Lords) said that parliamentary diplomacy was of growing importance. Responding to a suggestion made by the Slovak Presidency in a background paper, for a standing agenda point on Brexit, he said he would not object to this, but noted that whatever was agreed had to be acceptable to all delegations, including the UK. Sir William Cash (Chairman of the European Scrutiny Committee, UK House of Commons) said that the reason for Brexit was that the British wanted to govern themselves. In the EU, there were two options: integration or a greater role for national Parliaments. The two were incompatible and Sir William called for a solution in favour of citizens. He saw an incompatibility and alienation between the Treaties and peoples' wishes, and he described this as a democratic crisis.

Peter Grant (Member of the European Scrutiny Committee, UK House of Commons) noted that both Scotland and Northern Ireland had voted to remain in the EU, and he called for these outcomes to be respected. In his opinion, the UK was amongst the worst educated countries in Europe on how the EU worked, and this was the fault of the UK Government, the UK Parliament, right-wing media and others. He warned other national Parliamentarians not to go to sleep on the job, lest something similar happen to them. Kamal Izidor Shaker (Chair of the European Affairs Committee, Slovenian National Assembly) suggested organising more ad-hoc meetings of national parliamentarians in Brussels, something supported by Ana Birchall. In response to comments made, Timmermans said he shared Sir William's analysis that the institutions had to recalibrate to a changing world. A majority of the British people had decided to leave the EU, but at the same time, a substantial minority had not. Timmermans noted that some had argued for full inter-governmental cooperation. In his view, the community method created a balance between bigger and smaller Member States. It was impossible to have Europe à la carte; the EU was only possible if everyone's interests were accommodated. Despite citizens' lack of support for the EU institutions, there was support for common policies at EU level.

Session 3: the Transatlantic Trade and Investment Partnership (TTIP): a trade agreement between the European Union and the United States (and its challenges, opportunities and risks)

Hiddo Houben, EU Deputy Chief Negotiator of TTIP and Director at the Commission’s Directorate-General for Trade, began by recalling that negotiations on TTIP had started in 2013, on the basis of a unanimous mandate from the Council. Both sides were aiming for the highest standards agreement negotiated to date. He highlighted that trade was not a "Brussels policy" but an "EU policy". Turning to the subject of transparency, Houben noted that the mandate for TTIP was public, as were reports on the negotiating rounds and the EU's proposals to the US. He concluded by stating that the outcome of the US presidential election would serve
as a "reflection point" and that TTIP would enter a "natural pause" as the new administration took office.

Susan George, a political and social scientist, activist and writer on global social justice and President of the Transnational Institute, outlined several reasons to oppose TTIP, including a lack of transparency and the investment dispute scheme. In addition, George said that transnational corporations were too close to the negotiations, that the EU's economic model was deeply flawed, as it assumed full employment, and that there was no binding language on standards or protection. She concluded by stating that were TTIP to be agreed, global warming would increase, as fossil fuel companies would be able to sue governments.

In the subsequent debate, several participants questioned whether TTIP was dead, following the recent US presidential election. There was a mixture of views, with some Parliamentarians for and some against TTIP. Danuta Maria Hübner MEP (Chair of the Committee on Constitutional Affairs, European Parliament) said that any pause in the talks should be a joint EU-US decision. She also noted that the EU had failed to prove to citizens that globalisation worked. The last time that the importance of trade had been debated was 1990. Güler Turan (Federal Advisory Committee on European Affairs, Member of the Senate of Belgium and Flemish Parliament), said that most opponents of TTIP were not against trade, but their objections were against a corporate driven globalisation process. She called for a reform of the EU's trade policy. Bastiaan van Apeldoorn (Chair of the Standing Committee on European Affairs, Dutch Senate) asked if the Commission expected TTIP to be a mixed agreement. Mats Löfström (Finnish Parliament) asked what lessons could be learned from the CETA "debacle".

Kate Green (Member of the European Scrutiny Committee, UK House of Commons) welcomed Houben's comments on high standards. For her, the natural pause was an opportunity to look at the philosophy of trade agreements. In a response to a comment about MPs using reading rooms, Peter Grant (Member of the European Scrutiny Committee, UK House of Commons) said that in the UK there were only four appointments per week, each for one hour, and a week's notice had to be given. The UK reading room had only been open since 19 October. He said TTIP was the biggest test of the EU institutions. People had lost their trust in political institutions. The EU could win back their trust, but it had to be open. Marc Angel (Chair of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration, Luxembourg Chamber of Deputies) said that TTIP was dying a slow death, with the positions of the two sides very far apart. He suggested a new start, with a new mandate. In Houben's view, TTIP would probably be a mixed agreement. He also noted that President-elect Trump had not mentioned TTIP once during the campaign. Responding to George's point on the author of the mandate, he said that it was Commission policy not to name civil servants below a certain level. The Commission and Council had both endorsed the report prepared by the High Level Working Group and the negotiating mandate.
Session 4: 2016: Energy Union’s “year of delivery”

Commission Vice-President Maros Šefčovič, responsible for Energy Union, began by thanking Member States and national Parliaments for their support for the Paris Agreement. The EU had signed the Agreement in October, and to date ten national Parliaments had completed the internal procedures necessary to allow their governments to ratify the deal.

Turning to the Energy Union itself, he said that at its heart was the transition towards a more sustainable energy system. This went hand in hand with improving the security of supply, improving the competitiveness of the energy system, and ensuring that the transition was fair and inclusive. Outlining the work done so far by the Commission in enabling a transition towards a more sustainable energy system, Šefčovič listed reform of the EU Emissions Trading System (ETS); a proposal on Land Use, Land-Use Change and Forestry; and a strategy on low-carbon mobility. In February, the Commission had come forward with a legislative package on energy security. The package included enhanced regional cooperation, stronger compliance of intergovernmental agreements with the EU’s energy acquis, fully utilising LNG as a transitional fuel, and transformation of the heating and cooling sector. On the importance of a fair and inclusive transition, Šefčovič emphasised that energy transition required ensuring that professional skills were adapted to the new market, that infrastructure was adequate for the new market, and that energy poverty was eradicated. He said that the Commission considered energy efficiency to be one of the main means to reduce energy bills, and the Commission supported it through both legislation and funding of efficiency projects.

Šefčovič had committed that the majority of the Energy Union proposals would be tabled by the end of 2016, and the Commission would soon come forward with a major legislative package with measures on renewable energy, market design, governance of the Energy Union (with an active role for national Parliaments), and energy efficiency. The Commission would also take stock of progress made across Member States Šefčovič concluded by stating that with 2016 as a year of delivery, 2017 would be the year of implementation.

Debate

In the subsequent debate, progress on the Energy Union was welcomed, although concerns were raised over lobbying by Gazprom and the Nordstream 2 project. António Costa Silva (Member of the European Affairs Committee, Portuguese Parliament) said that energy was a critical pre-condition for peace. Kalle Palling (Chair of the European Union Affairs Committee, Estonian Riigikogu) noted that Estonia would put a strong focus on energy issues during its Council Presidency. Lord Teverson (Member of the EU Select Committee, UK House of Lords) asked, with regards to carbon emissions targets, how the EU could move towards de-carbonising heating and transport. He also asked how the North Sea Offshore Grid project could be moved forward. Finally, he stressed that the demand side response had to be equally able to compete in the capacity market.

In response to comments, Šefčovic said that the Commission had been investigating Gazprom for some time, looking in particular at a ban on the resale of Gazprom gas, fair pricing and supply contracts linked with infrastructure projects. He noted that Nordstream 2 was a polarising project, but he said it was difficult to comment due to its different schemes and phases. For the Commission, the transit route through Ukraine was a top priority.

Session 5: Securing the external borders of the EU in the context of irregular migration

Robert Kaliňák, Deputy Prime Minister and Minister of Interior of the Slovak Republic, began by noting that Slovakia had begun to build its external EU border a decade ago; the final step in tearing down the Iron Curtain and enabling the country to benefit from the Schengen
agreement. Looking at this in the context of the current migration crisis, he said that there were two elements vital to securing external borders: technical and human resources; and good asylum policy. For Kaliňá, readmission agreements were vital; without them, it was impossible to secure the EU’s external borders. Many of those who had made it to the EU had paid traffickers. In his view, relocation was better from an EU perspective. A successful returns policy was the top priority; it deterred people from making the journey to the EU. He called for a recognition of the difference between war refugees and asylum seekers. The protection of external borders was a precondition for the EU’s internal security and allowed the EU to control migration.

Debate
In the subsequent debate, some parliamentarians expressed their opposition to the Commission’s proposed relocation scheme for migrants. Others stressed the importance of securing the EU’s external borders.

Richard Hőrcsik (Chair of the Committee on European Affairs, Hungarian National Assembly) said that all 28 Member States had been affected differently by the migration crisis. He agreed with Kaliňák that Schengen was a European value, and preserving it was the top priority. In his view, the EU should have created a common framework, setting out whether migration was a temporary or permanent phenomenon, and then developed policies from that. He concluded by noting that Hungary had spent 0.6% of its GDP on border control. If borders were effectively protected, other Member States were protected. Solidarity meant different things and the EU could not leave its borders open for all. Lucio Romano (Vice-Chair of the Committee on European Affairs Policies, Italian Senate), said that a focus on external borders alone was not enough; the EU had to work with countries of origin to prevent people from fleeing. Development aid and assistance could be used to improve the economy and conditions of those countries. He said the migration crisis was a stress test for the whole EU.

Zehra Taşkesenlioğlu (Spokesperson of the EU Harmonization Committee, Turkish Grand National Assembly), said that if visa liberalisation was not guaranteed, the EU-Turkey deal was useless. Annetta Kavvadia (Vice-Chair of the Committee for European Affairs, Hellenic Parliament), called on all Member States to accept refugees; “flexible solidarity” was not an option. Oudeikki Loone (Member of the European Affairs Committee, Estonian Riigikogu) said that migration was an economic phenomenon. Citizens were not scared of foreigners but foreign salaries and conditions. Danuta Maria Hübner MEP (Chair of the Committee on Constitutional Affairs, European Parliament) said that migrants were still travelling to the EU because they knew they would make it in. She called for implementation of readmission agreements and a change in thinking.

Peter Grant (European Scrutiny Committee, House of Commons) said that only ⅓ of EU Member States had a population over 12 million, whereas there were 12 million Syrians who had lost everything and were in need of help. He criticised the UK Government’s approach to the situation. Atis Lejiņš (European Affairs Committee, Latvian Saeima) said that had the European Border and Coast Guard been operational years ago, the EU would not where it was now, with social and political divisions over how to handle the crisis. He said readmission agreements were needed not only with North African countries but also Asian countries such as Pakistan and Vietnam.
In response to comments, Kaliňák said that the relocation system had failed. Slovakia was against the quota system, not migration. He noted that even those countries that had been in favour of relocation had not kept their promises. For him, the EU could either continue down this path or find a functional model. Irregular migration did not happen by chance; it was a result of previous events, often including western intervention in countries. Readmission agreements and fighting traffickers was the best way to solve the migration crisis. He concluded by noting that for those countries that were behind the Iron Curtain, this was a new experience.
Panama Papers

EP holds hearings into tax secrecy

On Monday 14 and Wednesday 16 November, the EP’s Committee of Inquiry into Money Laundering, Tax Avoidance and Tax Evasion (PANA) held two separate hearings into the latest state of play in identifying and shutting down international tax havens. On Monday 14 November, MEPs heard from a range of experts including representatives from European tax enforcement bodies, Europol, Eurojust, the EU’s Financial Intelligence Units and an array of national prosecutors. Then, on Wednesday 16 November, the Committee held an exchange of views with Nobel Prize winner, Professor Joseph Stiglitz, in his capacity as a former adviser to the Panamanian Government as an expert to its National Inquiry Committee on the Panama Papers. Stiglitz resigned in August after the Panamanian Government refused to publish the results of his findings. Stiglitz outlined to MEPs that the Panama Papers episode was only the “tip of the iceberg” and made the case for a “zero tolerance policy for secrecy havens”. He also advocated a number of initiatives that could be promoted to help tackle dodging tax, including: publically accessible beneficial ownership registers; a blacklist of secrecy havens; better protection for whistle-blowers; and the inclusion of transparency provisions in future trade agreements.

Monday 14 November

First to take to the floor was Philippe de Koster, from the Belgian Financial Intelligence Unit, who said that it was time for the EU to establish a pan-European register providing details of beneficial owners of companies. For him, this would help to “shut down the space” that those deliberately taking advantage of tax loopholes operated within. He also called for a consistent definition of what constituted a “suspicious transaction” and recommended that voluntary cooperation between Member States be replaced by an enforced transnational cooperation agreement, similar to the US Financial Investigation Unit. De Koster added that money laundering was “not a fiscal issue, but a criminal one” and noted that, under Belgian penal code, money laundering was considered “as bad as the underlying crime”. In his view, these standards should now apply under EU law too. De Koster closed by calling on all of Europe’s financial intelligence bodies to better pool resources and coordinate their approach. He dismissed the notion that this would require considerable further financing and suggested that European authorities simply needed the “courage” to work together and “deal with what’s coming at us, like brothers-in arms”. Giovanni Kesler, Director-General of the European Anti-Fraud Office (OLAF), outlined to MEPs the value of introducing a “standardised, interconnected and easy-to-use” registry of national bank accounts, which could be used by all EU enforcement agencies. He said that doing so would act as a “powerful deterrent” to individuals who were using bank accounts to launder money, while increasing traceability would also improve detection rates of fraudulent activities and increase the possibility of exerting greater control in the financial sector. Simon Riondet, from Europol, then took the floor and explained to MEPs the links between some of the companies implicated in the Panama Papers episode and a range of illegal activities including those perpetrated by people traffickers, Russian-speaking crime groups and extremist Islamic terrorist organisations. For him, many of the companies that had dealt with Mossack Fonseca - the law firm central to the Panama Papers episode - were not only implicated in economic crimes, but issues of a security nature too. Next, Klaus Meyer-Cabri, a German member of Eurojust noted that there had been a “steady rise” in the number of money laundering cases in recent years, but that the release of the Panama Papers had, in actual fact, provided the “first ever opportunity” for national tax
authorities to liaise with one another. For him, it was essential that leading decision-makers in all European countries kept tackling tax secrecy as a “number one priority”, in a time when there were many other competing political challenges. Lastly, Norbert Naulin, from the North Rhine Westphalia Special Investigation Unit, defended his organisation’s decision to purchase information from an “anonymous source” on beneficial owners named in the Panama Papers by stating that international criminal systems could only be uncovered by individuals with “insider knowledge”. Naulin said that “no-one wakes up in the morning and decides to explain how it runs for altruistic reasons” and that, therefore, those in positions of authority had to use “all available means” to uncover individuals or syndicates that were engaging in various means of tax evasion, avoidance or money laundering.

Wednesday 16 November

Stiglitz began his address by labelling tax secrecy as the “darker side of globalisation”. He added that the hiding of money undermined global society and that, essentially, it was now time to adopt a comprehensive global approach that advocated “zero tolerance” for secrecy. He described it as “absolutely critical” that there was now the creation of publically searchable registries detailing the ownership of organisations and how much tax they paid. For him, the reason that such information had to be accessible to the public was that it had to be possible not only for law enforcement agencies, but also the media, to find out “who is doing what” when it came to taxation affairs. Stiglitz continued by suggesting that there should be stronger sanctions against the “enablers” of tax avoidance, evasion and money laundering and called on world leaders to adopt stronger sanctions against law firms, advisors and wealth managers who had made it their “mission statement” to not pay their fair share. For him, it was also important to ensure that countries across the world complied with “transparency norms” and that organisations that did not “sign up” faced the “appropriate consequences”. Stiglitz likened individuals and companies that refused to adhere to correct taxation protocol as “carriers of disease” and he said that the onus was on EU decision-makers to ensure that these companies were “excluded” from doing business with those organisations that paid their way correctly. Stiglitz stated that the EU’s ultimate goal should be to identify and punish those who operated within and benefited from secrecy. In his view, the most effective tool that European decision-makers had to hand was transparency and “transparency alone”. Stiglitz suggested that not only should this approach be adopted for internal EU business, but also pursued when interacting with international partners across the globe. For him, Europe alone could make a “significant difference” to the worldwide fight against tax secrecy and it was important that EU leaders “took this message” into their interaction with other heads of State and Government. When it came to international trade agreements, for example, Stiglitz said that the EU could also consider adding transparency provisions by requiring that trade partners met minimum standards that were required to do “good business”. Linked to this, Werner Langen MEP (EPP, Germany), Chairman of the EP’s PANA Committee, underlined the important work that MEPs were already doing. He said that investigating alleged contraventions and maladministration in the application of correct rules relating to tax avoidance, tax evasion and money laundering was one of the EU’s current political priorities. Langen said that tax justice and fair tax competition were essential elements of a “fully operational” European Single Market and he emphasised the important role that they could also play in creating a fair system of labour division in the context of globalisation. Langen said that it was his Committee’s intention to “uncover and understand” who was not paying their fair share of tax and how they had managed to avoid doing so. To do so, the PANA Committee would continue to hear from experts, conduct fact-finding missions and scrutinise confidential information as, for Langen, it was critical to leave no stone unturned. (NPO note: the PANA Committee of Inquiry was constituted in June 2016 and has a 12-month mandate. At the end of this period, the Committee
will submit a report that will be considered by the whole EP at a future plenary session in Strasbourg).
Other News

Bulgarian PM resigns after Presidential election

On Monday 14 November, Bulgarian Prime Minister, Boyko Borisov, announced that he would tender his resignation in light of the previous day’s Presidential election in which opposition Socialist candidate, Rumen Radev, emerged victorious. According to exit polls, Radev claimed almost 60% of the vote, while Tsetska Tsacheva, from Borisov’s GERB party, won just over 35% of ballots cast. Addressing a news conference on Sunday evening, Borisov acknowledged that the results showed his ruling coalition lacked the majority required to implement its desired political priorities or even pass the budget for 2017. He said that his party’s ambitions “no longer matched those of the Bulgarian people” and that he would resign on the first working day of Parliament re-convening after the elections.

Foreign Affairs MEPs adopt report on human rights

On Monday 14 November, Members of the EP’s Committee on Foreign Affairs (AFET) adopted a draft report on “The state of human rights in the world in 2015”.3 (NPO note: Parliament’s report is a response to the EU annual report on human rights and democracy in the world in 2015, which was approved by the European Council on 20 June 2016). The report, adopted by 42 votes to 5, with 8 abstentions, was drafted by Josef Weidenholzer (S&D, Austria) and states that “the universality of human rights is seriously being challenged in many parts of the world” and calls on EU leaders “to ensure coherence between its internal and external policies with regard to respect for human rights”. Furthermore, it focuses on groups of society that are perceived to be particularly susceptible to human rights violations including: women and children; migrants; refugees and asylum seekers; and LGBTI persons. Following Monday’s adoption, the Committee’s draft report will now be put to a vote by Parliament as a whole at the December plenary session in Strasbourg.

Erdogan suggests Turkish referendum on EU membership

On Monday 14 November, it was reported that Turkish President, Recep Tayyip Erdoğan, had suggested that his country could hold a referendum on whether or not to continue accession talks with Brussels regarding potential EU membership. Erdoğan stated that Europe needed to “make up its mind” on Turkish accession and suggested that a referendum could be held in early 2017. Also on Monday, EU Foreign Ministers met in Brussels although, according to the Union’s High Representative for Foreign Affairs and Security Policy, Federica Mogherini, no decision on Turkish accession was taken at the summit. She noted that Ministers held a “wide-ranging” discussion on the situation in Turkey, including both the aftermath of the failed military coup in July and the government’s subsequent crackdown on suspected political opponents, journalists and judges. Commission President, Jean-Claude Juncker, said in August that Turkey “cannot be a member of the European Union in its current state” and warned that accession negotiations would be stopped if the country decided to reinstate the death penalty. Erdoğan said on Monday that he would back reintroducing capital punishment in Turkey if the Parliament in Ankara passed the necessary legislation. (NPO note: accession discussions with Turkey started in 2005, but certain negotiation chapters still remain unopened due to concerns about the rule of law).


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Jonathan Faull calls for post-Brexit action to be taken against Belgium

On Tuesday 15 November, a number of EU-focused publications reported that the Commission’s most senior British official, Jonathan Faull, had formally requested that high-level steps and even “infringement action” be taken against Belgium for its lack of cooperation in helping British staff in the European institutions to acquire Belgian citizenship in light of June’s Brexit vote. Faull, who formally led the Commission’s “Task Force responsible for strategic issues related to the UK referendum”, sent an official report (dated 10 November) to outgoing Commission Vice-President for Budget and Human Resources, Kristalina Georgieva, calling for targeted action to be taken to help facilitate the process of British officials obtaining dual-nationality.\(^4\) In the memo, Faull called on the Commission to keep in mind a number of concerns held by British staff when negotiating the UK’s withdrawal from the EU including: double taxation on salaries; access to accrued EU pensions; and contributions to the European Schools system in Brussels.

Henkel to challenge Kamall for ECR leadership

On Tuesday 15 November, German MEP, Hans-Olaf Henkel, announced his intention to challenge UK MEP, Syed Kamall, for the leadership of the European Conservatives and Reformists (ECR) Group in the European Parliament. Following its creation in 2009, the ECR is now the EP’s third largest group and comprises 73 Members from 16 Member States. In an email to colleagues, Henkel stated that the Group’s two biggest delegations - from the UK and Poland - were involved in “political battles between their home countries and the EU which might lead to conflicts of interest”. (NPO note: Kamall previously came under pressure to resign his leadership of the ECR Group earlier this year when he publicly came out in support of Brexit).

Commission publishes 2017 European Semester Autumn Package

On Wednesday 16 November, the Commission published a series of documents marking the start of the European Semester 2017. The package included the 2017 Annual Growth Survey; a Recommendation for a Council Recommendation on the economic policy of the euro area; a Communication "Towards a positive fiscal stance for the euro area"; the 2017 Alert Mechanism Report; the 2017 draft Joint Employment Report; and the assessment of euro area Member States' Draft Budgetary Plans for 2017.\(^5\) The European Semester is the EU’s cycle of economic and fiscal policy coordination and forms part of the EU’s economic governance framework. It covers three policy areas: structural reforms, fiscal policies and the prevention of excessive macroeconomic imbalances.

Commission proposes initiative to charge for non-EU travel within Schengen

On Wednesday 16 November, the European Commission unveiled plans for a European equivalent of the American Electronic System for Travel Authorisation (ESTA) visa waiver scheme. In the proposals, non-EU citizens would be charged €5.00 for travel within the Schengen zone and their application, if successful, would last for five years. In order to be granted access, applicants would have to submit their credentials through a Commission website with information being checked against other EU information systems including Europol and Eurodac databases. Dimitris Avramopoulos, Commissioner for Migration, Home

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\(^4\) The full Faull memo can be found here - [http://g8fip1kplyr33r3krz5b97d1.wpengine.netdna-cdn.com/wp-content/uploads/2016/11/SPOLITICO-16111414520.pdf](http://g8fip1kplyr33r3krz5b97d1.wpengine.netdna-cdn.com/wp-content/uploads/2016/11/SPOLITICO-16111414520.pdf)


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Affairs and Citizenship, said that the proposals would be “cheap and easy for visa-free travellers”. For him the initiative would ensure that Europe “remained both open and secure at the same time”. The new European Travel Information and Authorisation System (ETIAS) would be managed by the recently approved European Border and Coast guard Agency (EBCG) but the final decision on whether to grant or refuse entry would still be taken by national border officials.

Weber and Verhofstadt re-elected

On Wednesday 16 November, Manfred Weber (Germany) and Guy Verhofstadt (Belgium) were both formally re-elected as Presidents of their respective European People’s Party (EPP) and Alliance of Liberals and Democrats for Europe (ALDE) political groups in the EP. Both positions were elected unopposed and will see Weber and Verhofstadt retain chairmanship of their respective groups until the next European elections in May 2019. Weber, the EP’s youngest group leader, has led the EPP group since 2009, while Verhofstadt, a former three-time Belgian Prime Minister, has been in charge of the ALDE group in the EP since 2009 and is also the Parliament’s point-man on Brexit.

Council and EP reach agreement on 2017 budget

On Thursday 17 November, the EP and Member States reached agreement on the 2017 budget. The Commission had come forward with its proposal at the end of June, suggesting €157.7 billion in commitments and €134.9 billion in payments. The Council agreed on its position, totalling €156.38 billion in commitments and €133.79 billion in payments, in September, whilst the EP proposed €160.7 billion in commitments €136.7 billion in payments in October. As the two sides’ positions did not correlate, a three-week negotiation process known as the “conciliation procedure” began, with 17 November the deadline for reaching a common position before the Commission would be obliged to come forward with a new proposal. The figures agreed on amount to €157.9 billion in commitments and €134.5 billion in payments.

Member State representatives agree visa-free travel for Ukraine

On Thursday 17 November, Member State representatives agreed, on behalf of the Council, a negotiating position on visa liberalisation for Ukraine. The Commission came forward with the proposal in April. If agreed, EU citizens would benefit from visa-free travel in Ukraine, and Ukrainian citizens would benefit from visa-free travel to the EU, for a stay of up to 90 days in any 180-day period. The Council position on visa liberalisation is conditional on the entry into force of the new suspension mechanism, which would allow the scheme to be suspended under certain criteria. The Presidency will now begin negotiations with the EP. The scheme would not apply to the UK or Ireland.

7 “Commitments” refers to the funding that can be agreed in contracts in a given year; “payments” to the money actually paid out.
Calendar

*Slovak Presidency: forthcoming Council meetings (July to December 2016)*

- **21-22 November**: Education, Youth, Culture and Sports
- **28 November**: Foreign Affairs Council
- **28-29 November**: Competitiveness
- **1-2 December**: Transport, Telecommunications and Energy
- **5 December**: Transport, Telecommunications and Energy
- **6 December**: ECOFIN
- **8-9 December**: Justice and Home Affairs
- **8-9 December**: Employment, Social Policy, Health and Consumer Affairs
- **12 December**: Foreign Affairs Council
- **12-13 December**: Agriculture and Fisheries
- **13 December**: General Affairs Council
- **15-16 December**: **European Council**
- **19 December**: Environment

*Slovak Presidency: forthcoming inter-parliamentary meetings in Bratislava (July-December 2016)*

- **1-2 December**: Meeting of the Chairpersons of the Committees on Energy Union

**Forthcoming inter-parliamentary Committee meetings (ICMs) in the European Parliament**

- **28 November**: ICM: “Europol and its parliamentary scrutiny in the framework of the EU Internal Security policies” (organised by the EP’s Civil Liberties, Justice and Home Affairs Committee)
- **29 November**: ICM: “Future institutional evolution of the Union” (organised by the EP’s Constitutional Affairs Committee)
- **29 November**: Lunch organised by EP’s International Trade Committee on the EU-Canada Comprehensive Economic and Trade Agreement (CETA)

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