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Mr Konstantinos Tsiaras
Chairman, Standing Committee on
National Defence and Foreign Affairs
Hellenic Parliament

By email

6 February 2014

Dear Mr Tsiaras

Review of the Inter-Parliamentary Conference for the Common Foreign and
Security Policy and the Common Security and Defence Policy

Please accept our congratulations on Greece's assumption of the rotating EU Council Presidency, and our best wishes for the Hellenic Parliament's successful discharge of its responsibilities as the Presidency Parliament.

As you know, the Inter-Parliamentary Conference for the Common Foreign and Security Policy and the Common Security and Defence Policy (IPC) is conducting a review of its own operation, to inform the review to be held by the Conference of Speakers in Spring 2015 under the Presidency of Italy. The review process is in accordance with the Conclusions of the Speakers' Conference held in Warsaw in April 2012 and the Conclusions of the first and second meetings of the IPC (in Paphos in September 2012 and Dublin in March 2013), as well as the timetable for the process agreed at the third IPC in Vilnius in September 2013.

Three members of the UK delegation to the Paphos IPC wrote to your Irish counterpart, Pat Breen TD, in November 2012 with some suggestions about the future organisation of the IPC which arose from the Paphos conference. Rt Hon Sir Richard Ottaway MP, Chairman of the House of Commons Foreign Affairs Committee, and Lord Tugendhat, Chairman of the Sub-Committee on External Affairs of the House of Lords EU Committee, wrote to your Lithuanian predecessors in July 2013 reiterating the UK's views. The Lithuanian Presidency included points from both letters among the proposals from national parliaments which were considered by the third IPC meeting in Vilnius. These letters are attached for your reference. We trust that the suggestions they contain will continue to be treated among the matters being considered by the Ad Hoc Review Committee (AHRC) which is leading the IPC review.

At the third IPC in Vilnius, the Lithuanian Presidency made clear that participating parliaments were still welcome to submit further points and proposals for consideration by the AHRC and the IPC under the Greek Presidency, as part of the IPC review process. Members of the UK delegation have valued the IPC meetings that they have attended, and have welcomed several of the developments in the format of the conference that have already



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been introduced, including some along the lines of the suggestions put forward in our letters referred to above. However, **there are a number of issues that we would like to pursue. We are therefore putting forward the further points and proposals below as an additional submission of the UK Parliament delegation to the IPC review, and would ask you to treat them as such.** Some of our points amplify those already made in our letters referred to above, while others are new and in part respond to some of the suggestions put forward so far by other delegations.

Our submission comprises two annexes:

- Annex 1 on the review process and sequencing, leading to a proposal for the format of the IPC's submission to the Speakers' Conference; and
- Annex 2, a table containing the UK delegation's positions and proposals on selected substantive issues arising in the review process.

We understand that the submissions made to the review process are to be considered by the Working Group of the AHRC at a meeting in Athens on 21 February 2014, at which the Working Group is due to prepare a package of proposals. The package will then be considered by the AHRC immediately prior to the start of the Athens IPC, and by the full IPC at its fourth meeting to be held under your Presidency in Athens on 3-4 April. We further understand that the IPC is due to adopt its review conclusions at its fifth meeting in Rome in the second half of 2014 under the Presidency of Italy, for forwarding to the Spring 2015 Speakers' Conference.

Thank you very much in advance for ensuring that our points and proposals, as set out in the two Annexes to this letter, are submitted to the IPC's review. We look forward to discussing these matters with you in Athens and Rome, and to a successful conclusion of the review process.

Yours sincerely

Rt Hon Sir Richard Ottaway MP
Chairman, Foreign Affairs Committee,
House of Commons

Lord Tugendhat
Chairman, Sub-Committee on External
Affairs, House of Lords EU Committee

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ANNEX 1: REVIEW PROCESS AND SEQUENCING

We would like to set out our understanding that the IPC's review process need not - and should not - be confined to amending the IPC's Rules of Procedure (RoP). Rather, as set out in the RoP and the conclusions of the Paphos and Dublin meetings, the IPC's review should make proposals on the workings of the conference in order to inform the Speakers' review. Identifying amendments which the IPC would like to make to its RoP may form a useful part, but only part, of this process.

There are three broad reasons why we would not like to see the IPC's review process focus exclusively on amendments to the RoP:

- i. Informal IPC development. If the IPC's review focuses only on amendments to the RoP, it may risk introducing unnecessary conflicts and inflexibility. We believe that there are a number of further improvements that might be made to the IPC which do not require amendment of its RoP; the development of the IPC so far, on the basis of its current RoP, suggests as much. If such improvements are found to be useful, we believe that they are likely to become established informally even without amendment of the RoP.
- ii. Hierarchy. The Warsaw Speakers' Conference Conclusions determined that the IPC, including its RoP, must operate within the framework established at any time by Speakers. Within that framework, the IPC's RoP are not a matter for Speakers but for the IPC itself. Amendments which the IPC may wish to make to its RoP would be of interest to Speakers only if they were incompatible with the Speakers' Warsaw framework, and if they therefore caused the IPC to ask Speakers to make changes to that framework. The priority for the IPC's review should therefore be identifying any changes which the IPC would like to ask Speakers to make to the framework for the IPC which they established in Warsaw in 2012.
- iii. Timing. The IPC may amend its RoP at any time. However, if amendments which it wishes to make conflict with the current Speakers' framework, it could make the amendments only after Speakers had amended their Warsaw framework. To avoid the IPC spending time twice making decisions about amendments to its RoP, it would thus seem logical and preferable for the IPC to think of amending its RoP only after the Spring 2015 Speakers' Conference. This would not prevent the IPC from continuing in the meantime to make such improvements to its functioning as are compatible with the Warsaw Speakers' framework and the current IPC RoP.

As you will see from Annex 2, of the UK delegation's proposals and preferences for the development of the IPC, only one - the question of the size of the IPC - might require the Speakers' Conference to amend its Warsaw framework. At this stage, we suggest that the IPC review might recommend that Speakers consider this issue. None of our other proposals



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would require any change to the Warsaw Speakers' framework; and many would also not require any amendment of the IPC's RoP. Some of our proposals would require, or could usefully be set down in, amendments to the RoP. In line with the considerations above, we set out such proposals now in the hope that the IPC might agree them after the Spring 2015 Speakers' Conference.

On this basis, we suggest that the review submission from the IPC to the Spring 2015 Speakers' Conference might comprise:

- i. a brief narrative summary of the IPC's work so far;
- ii. an outline of the improvements to the IPC's functioning which are compatible with the current Warsaw Speakers' framework and which the IPC has implemented or plans to implement as a result of the review process; and
- iii. if necessary, a list of the improvements which the IPC would like to make to its functioning which require amendment of the Warsaw Speakers' framework, together with a list of the relevant amendments to the framework which the IPC would like to request the Speakers' Conference to make.

As suggested above, either or both of ii. and iii. might include changes which the IPC proposes to make to its RoP following the Speakers' review.

This approach would build on the categorisation of proposals submitted so far to the IPC review which the Lithuanian Presidency produced in its 'synopsis' document in Vilnius.



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ANNEX 2: UK DELEGATION POSITIONS AND PROPOSALS ON SUBSTANTIVE IPC REVIEW ISSUES

In the table below, we outline our positions and proposals on a number of points. We do not respond to all the proposals which have been made so far as part of the IPC review process, but focus primarily on those which the Lithuanian Seimas - as the Presidency Parliament - recommended to the AHRC in Vilnius, plus a number of other items which we regard as particularly important. In the table, we indicate whether our preferences would require amendment of the RoP and/or the Warsaw Speakers' framework. In line with the approach we set out in Annex 1, we would like to see any changes which would require Speakers to amend their Warsaw framework identified in, and forming the focus of, the IPC's submission to the Spring 2015 Speakers' Conference.

| <i>Issue</i> | <i>Requires amendment of RoP?</i> | <i>If yes, proposed amendment</i> | <i>Requires change to Warsaw Speakers' framework?</i> |
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| <p><u>1. IPC programme</u> Combined with the large number of participants in the IPC (which we address in point 4. below), we have found the shortness of time for debate following what are often long keynote speeches to be one of the main constraints on the value of the conference.</p> <p><u>1.1 Breakout/workshop/'in the margins' sessions</u> In our letters to previous Presidencies we have supported the holding of concurrent breakout sessions, working groups or events 'in the margins' during IPC meetings, rather than only plenary sessions. These allow participants to discuss more tightly focused issues in more detail than is possible in plenary. We welcome the fact that past Presidencies have started to organise such sessions, which we have often found useful. In its Presidency recommendations to the AHRC, the Lithuanian Seimas backed the holding of such sessions. We support this proposal. If anything, we would support the devotion of a greater</p> | No (but if the IPC were to wish to refer to such sessions in its RoP, we would support such a reference, as | --- | No |



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| share of the IPC's time to such sessions, with a concomitantly lesser share given over to plenaries. We also support inviting EU officials and independent experts to such breakout sessions and workshops. | long as it were only permissive rather than prescriptive, to maintain flexibility) | | |
| <p>1.2 Plenary sessions: speaker sessions</p> <p>We appreciate the willingness of senior figures from the EU and other international institutions, and the Presidency country, to attend the IPC. However, we have found that the conference's time with them has often been taken up with statements of views that are already in the public domain, or that have been circulated in writing in advance, while parliamentary delegates have had insufficient time to engage with the speakers during Q&A as they might wish.</p> <p>We have proposed previously that the Presidency should allow more time for debate. The Lithuanian Seimas endorsed this proposal among its recommendations to the AHRC. We welcome this.</p> <p>We suggest that the IPC should encourage Presidencies to: reduce to a minimum the time spent on protocol matters and the delivery of prepared remarks; make use of the opportunity to circulate prepared texts in advance that do not require restatement in person; and allow as much time as possible in speaker sessions for Q&A with parliamentary delegates. Regarding the</p> | No | --- | No |



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| involvement of the High Representative in the IPC, we note that Article 2.3a) of the existing RoP specifies that the High Representative should be invited to the IPC "to set out the priorities and strategies of the EU in the area of CFSP and CSDP"; but we do not believe that this requires the IPC to invite her to do so exclusively through an extended prepared speech – we believe that the IPC could invite the High Representative to fulfil its request through a written statement and Q&A. However, it should be recalled that the IPC does not have the ability to compel the High Representative to comply with any such request. | | | |
| <p>1.3. Plenary sessions: Inter-Parliamentary exchange</p> <p>IPC Presidencies have not so far scheduled any sessions dedicated to the exchange of information between participating Parliaments about their scrutiny of the EU's foreign, security and defence policies. We would find this a valuable addition to the IPC programme. Especially given the number of Parliaments in the EU, information about their activities can often be difficult and time-consuming to compile, but very useful in helping Parliaments to focus their efforts and improve their own practices. We recall that the Conclusions of the Speakers' Conference in Brussels in April 2011 specified that the IPC has "an informative function which [...] should enable the national parliaments to better scrutinise their own governments with regard to the intergovernmental dimension of the CFSP/CSDP".</p> <p>We recognise that if all EU Member State Parliaments/Chambers and the European Parliament were to address the IPC even for only two minutes each, the resulting session would be lengthy. To mitigate these potential drawbacks, participating Parliaments/Chambers may wish to submit a brief note in advance of each IPC meeting summarising the relevant activities that they have</p> | No (but if it so wished, the IPC could insert into its RoP a permissive reference to such a plenary session, analogous to the reference which the Lithuanian Seimas has | --- | No |



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| carried out since the previous meeting. We further suggest that the relevant IPC plenary session might comprise questions and answers among the parliamentarians arising from any written submissions, rather than prepared remarks necessarily coming from all parliaments. The session could also be themed to focus on Parliaments' activities with respect to a particular CFSP/CSDP topic or mission, for example. In this context we note the Vilnius IPC recommended that the Athens IPC should include an exchange of views on Parliamentary practices and procedures relating to CSDP missions. We support this proposal and look forward to the resulting debate in Athens. | proposed regarding breakout sessions) | | |
| <p><u>1.4 Approval of IPC agenda</u></p> <p>The Dutch Parliament has proposed that all delegations should be consulted before the Presidency draws up and circulates the IPC agenda. We are attracted to this idea, as a way of ensuring that delegates have the time for debate that they would like, and generating among them (and especially among delegates from national parliaments outside the Presidency Trio at any time) a greater sense of ownership of the IPC.</p> <p>The Latvian Saeima and German Bundestag both propose that the IPC should approve its agenda by majority. We would not support this, since we oppose the introduction of majority voting to the IPC. We would prefer the agenda to be approved by consensus, like the IPC Conclusions.</p> | Yes | Additions to Article 4.1 | No |



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| <p><u>2. IPC Conclusions</u></p> <p><u>2.1 Circulation of draft Conclusions</u></p> <p>In its recommendations to the AHRC, the Lithuanian Seimas supported requiring the Presidency to circulate draft IPC Conclusions to participating Parliaments <u>before</u> each IPC meeting. We support this change, as we believe that it would be beneficial if delegations had more time to prepare for the IPC's discussion of its Conclusions. We suggest making the Lithuanian proposal more specific, so that it would specify a deadline, for example one week before the IPC, by which the Presidency should ensure that the draft Conclusions are circulated.</p> | Yes | Amendment of Article 7.2 | No |
| <p><u>2.2 Deadline for submission of amendments</u></p> <p>Our only potential concern about the early circulation of draft Conclusions is that it risks weakening the link between the work which is conducted at the IPC and the Conclusions that the Conference adopts and publishes. We would like to see IPC participants have a proper opportunity to reflect in their Conclusions the work that they have undertaken together. The extent to which participants have such an opportunity depends partly on the deadline that is set for the submission of proposed amendments to the IPC Conclusions. At the IPC meetings we have attended so far, the timetable for the submission of amendments has varied and has not always been clear.</p> <p>In its recommendations to the AHRC, the Lithuanian Seimas made reference to allowing a "reasonable time for any amendments to be considered and submitted". Further to the Seimas recommendation, we would like to suggest that the RoP should require the Presidency to announce at the start of each IPC the deadline for the submission of proposed amendments to</p> | Yes | Addition to Article 7 | No |



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| the Conclusions. We further suggest that the RoP should encourage Presidencies to set the deadline for the submission of amendments sufficiently late in each IPC meeting that the conference's work can be taken into account, but still in time to allow the proper consideration of proposed amendments by participants and the IPC plenary. For example, the IPC might amend its RoP to say that this requirement would normally mean a deadline on the final morning of the IPC meeting. | | | |
| <u>2.3 Adoption of Conclusions: time allowed</u> At the IPC meetings which UK delegates have attended so far, we have felt that the adoption of Conclusions has been somewhat rushed. In addition to action concerning the timings for the circulation of draft Conclusions and the submission of amendments, as outlined in 2.1 and 2.2 above, this problem could and should be further addressed through the Presidency allowing sufficient time in the final plenary session of the conference for the Conclusions' proper consideration. | No | --- | No |
| <u>2.4 Adoption of Conclusions: voting</u> We have also felt that the voting procedures for the adoption of IPC Conclusions have not always been clear. The Warsaw Speakers' framework and the RoP specify that, <i>if it wishes to</i> adopt Conclusions, the IPC <i>may</i> do so by consensus. In practice, Presidencies have regarded consensus as having been reached when Conclusions have been supported by the overwhelming majority of the IPC, and no delegation has insisted on exercising a veto. We believe that this interpretation of 'consensus' is appropriate in the IPC context. However, we are unhappy that, under current practice, delegates who do not wish to block the adoption of Conclusions but who do not wish to be associated with all of their content have no means of recording their position. | Yes | Article 7.1 The Inter-Parliamentary Conference may by consensus adopt non-binding conclusions on CFSP and CSDP matters related to the agenda of the Inter-Parliamentary Conference. <i>Any</i> | No |



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| We suggest that a provision should be introduced whereby any individual delegate, group of delegates or delegation could record an abstention against any particular element of the Conclusions. Some delegations have proposed that the IPC should adopt its Conclusions by majority vote. We oppose the introduction of majority voting into the IPC and note that this change would require amendment to the framework defined at the Warsaw Speakers' Conference. | | <i>individual delegate, group of delegates or parliamentary delegation must have their abstention on any element of the Conclusions recorded if they so request.</i> | |
| 2.5 Conclusions follow-up The Dutch Parliament has proposed that the IPC should conduct better monitoring of the EU institutions' consideration of the IPC Conclusions. We support this idea, while recognising that it should not be unnecessarily burdensome on a Presidency Parliament. We suggest that the proposal might be best carried out if the Conclusions of each IPC were to include a short section noting any significant action or inaction by the EU institutions in relation to the Conclusions of the preceding IPC. | No (but, given its potential importance as a tool to improve the effectiveness of the IPC, the IPC might wish to include it) | If desired: Insert after Article 7.2 <i>To enhance the monitoring function of the Inter-Parliamentary Conference, any Conclusions which the Conference adopts should include a section noting any significant developments, action or inaction by the EU institutions in relation to the conclusions of the preceding Inter-</i> | No |



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| | | <i>Parliamentary Conference.</i> | |
| <p><u>3. Political groups</u></p> <p>In its recommendations to the AHRC, the Lithuanian Seimas suggested that the IPC RoP should "foresee the possibility for political groups [...] to convene informal meetings prior to meetings of the IPC".</p> <p>The political groups issue does not require any amendment to be made to the Warsaw Speakers' framework. We also see no need for the IPC's RoP to refer to the possibility of political group meetings: such meetings are taking place on the sidelines of IPC meetings already, without the RoP including any reference to political groups. We note that COSAC - the biannual meeting of EU Affairs Committees - has held meetings of political groups in the margins of the conference for many years without any such reference in its RoP.</p> | <p>No</p> <p>(but if the IPC wished to include a reference to political groups in its RoP, we would support only the kind of permissive reference to informal meetings which is included in the Lithuanian proposal)</p> | --- | No |
| <p><u>4. Size of the IPC</u></p> <p>We would be opposed to any discussions in the context of the IPC review on the specific size of IPC delegations. However, in the two letters which UK participants have submitted already as</p> | | | Possible suggestion that |



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| part of the review, and as reflected in our proposals under point 1. above, members of the UK delegation have expressed concerns that the large size of the IPC has an adverse impact upon debate and the conference's general efficiency. Therefore, we would support the IPC recommending to the Speakers' Conference that it should consider whether the large size of the IPC has impinged upon its effective functioning. In this context it may also be noted that Speakers recently agreed an alternative formula for delegations to the new Inter-Parliamentary Conference on Economic and Financial Governance, which held its first meeting in Vilnius in October 2013. | | | Speakers consider the issue |
| <u>5. Webpage</u> We welcome very much the fact that a webpage for the IPC has been established on the IPEX website, alongside the long-established page for the EU Speakers' Conference and the new page for the Inter-Parliamentary Conference on Economic and Financial Governance. | Not required, but desirable, since the existence of the IPC webpage is relevant to the practical functioning of the conference | Insert after Article 4.2 4.3 <i>The Presidency Parliament shall ensure that all documents pertaining to the IPC meeting for which it is responsible are made available on the webpage for the Inter-Parliamentary Conference, which is on the IPEX website.</i> | No |
| <u>6. Acronym</u> The Croatian Delegation has proposed that "COFDAC" be the acronym for the IPC. While a shorter title may be welcome, it is important to be aware that for some parliaments and | Yes, if the IPC can agree on an acronym | | No |



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| chambers, there are committees beyond those for foreign affairs and defence that have an interest in the matters addressed by the IPC. For example, the House of Commons delegation often includes members of the House's European Scrutiny and International Development Committees. We are therefore not supportive of this proposal. We note that the Inter-Parliamentary Conference on Economic and Financial Governance is using the acronym IC-EFG. We wonder if the CFSP/CSDP conference might agree on a parallel acronym. | | | |