

The “European Affairs in the Croatian Parliament” bulletin is published monthly by the European Affairs Department. It provides the reader with an overview of parliamentary activities in the field of EU affairs and inter-parliamentary cooperation as well as with access to EU documents forwarded to national parliaments.

### In Focus

#### European Union – United Kingdom Future Partnership

On 29 March 2017, the United Kingdom (UK) notified the European Council (EUCO) of its intention to leave the European Union (EU), in accordance with Article 50 of the Treaty on European Union (TEU), which sets out the procedure for a Member State to withdraw from the EU. Negotiations on the withdrawal of the UK from the EU began on 19 June 2017. Following complex and intensive negotiations, on 17 October 2019, the EUCO confirmed the text of the Agreement on the withdrawal of the UK from the EU and approved the Political Statement establishing a framework for future EU-UK relations.

The Withdrawal agreement entered into force upon the UK's exit from the EU, on 31 January 2020 at midnight (CET). The entry into force of the Withdrawal agreement marked the end of the period under the Article 50 of the TEU and the start of a transition period, which lasted until 31 December 2020. During this period, the UK continued to apply Union law but was no longer represented in the EU institutions.

Negotiations on the future partnership between the EU and the UK started on 2 March 2020. Following nine months of negotiations, on 24 December 2020 an agreement was reached at the negotiators' level on a comprehensive future EU-UK cooperation based on the three agreements. The new partnership between the EU and the UK, as a former Member State that withdrew from the EU on 31 January 2020 under the Withdrawal Agreement, will be governed by:

- the Trade and Cooperation Agreement between the EU and the UK
- the Agreement concerning security procedures for exchanging and protecting classified information
- the Agreement between the UK and the EU for cooperation on the safe and peaceful uses of nuclear energy.

The EU-UK Trade and Cooperation Agreement establishes the basis for a broad EU-UK relationship that includes mutual rights and obligations, joint actions and special procedures. It sets out preferential arrangements in areas such as trade in goods and in services, digital trade, intellectual property, public procurement, aviation and road transport, energy, fisheries, social security coordination, law enforcement and judicial cooperation in criminal matters, thematic cooperation and participation in Union programmes. It is underpinned by provisions ensuring a level playing field and respect for fundamental rights.

While it will by no means match the level of economic integration that existed while the UK was an EU Member State, the Trade and Cooperation Agreement goes beyond traditional free trade agreements and provides a solid basis for preserving our longstanding friendship and cooperation.



The EU-UK Trade and Cooperation Agreement consists of:

- a Free Trade Agreement, with ambitious cooperation on economic, social, environmental and fisheries issues,
- a close partnership on citizens' security,
- an overarching governance framework.

Foreign policy, external security and defence cooperation is not covered by the Agreement as the UK did not want to negotiate this matter. Therefore, as of 1 January 2021, there is no framework in place between the UK and the EU to develop and coordinate joint responses to foreign policy challenges, for instance the imposition of sanctions on third country nationals or economies.

In addition, the Trade and Cooperation Agreement does not cover any decisions relating to equivalences for financial services, the adequacy of the UK data protection regime, or the assessment of the UK's sanitary and phytosanitary regime for the purpose of listing it as a third country allowed to export food products to the EU. Indeed, these are unilateral decisions of the EU and are not subject to negotiation.

On 29 December 2020, the Council unanimously adopted the decision on the signing of the EU-UK Trade and Cooperation Agreement and its provisional application as of 1 January 2021, pending the consent of the European Parliament (EP) and the Council's adoption of the decision on the conclusion of the Agreement.

EU national parliaments will not play a role in the ratification process of the EU-UK Trade and Cooperation Agreement. The Agreement has been classified as an EU-only agreement since it covers only areas under Union competence, be it exclusive or shared with the Member States. The conclusion of the Agreement requires the unanimous agreement of the Member States in the Council and the consent of the EP.

On 23 February 2021, the EU-UK Partnership Council decided, at the EU's request, to extend the provisional application of the Agreement until 30 April 2021, to allow sufficient time to complete the legal-linguistic revision of the agreements in all 24 languages. The Withdrawal Agreement remains in place, protecting, amongst other, the rights of EU citizens and UK nationals, the EU's financial interests, and crucially, peace and stability on the island of Ireland. The full and timely implementation of this agreement has been a key priority for the EU.

## **Activities of the Croatian Parliament in the Decision-Making Process**

### **Activities of the parliamentary committees**

#### European Affairs Committee

12<sup>th</sup> session held on 3 February 2021

The European Affairs Committee discussed reports on the candidates of the Republic of Croatia for Judge and Advocate General Attorney at the Court of Justice of the European Union in the term of office from 7 October 2021 to 7 October 2027. The reports were presented by the Minister of Justice and Administration Ivan Malenica. The session was also attended by Dr. sc. Siniša Rodin, candidate of the Republic of Croatia for a judge, via videoconference, and dr. Sc. Tamara Čapeta, candidate of the Republic of Croatia for Advocate General. Following the discussion, the Committee adopted both reports.

13<sup>th</sup> session held on 11 February 2021

The European Affairs Committee, on a joint session held with Foreign Policy Committee, discussed [Information](#) on the completion of negotiations on agreements governing future relations and cooperation between the European Union and the United Kingdom of Great Britain and Northern Ireland, submitted by the Croatian Government.



### Other committees

Other parliamentary committees discussed [European documents](#) in accordance with the [Work Programme for the Consideration of the Positions of the Republic of Croatia for 2020](#).

## **Monitoring the work of the Government in the European Union institutions**

### Council

The Croatian Government submitted to the relevant parliamentary committees its positions for 8 Council meetings held in February 2021.

## **EU documents Forwarded Directly to the Croatian Parliament**

According to the Protocol (no 1) on the Role of the National Parliaments in the European Union, all draft laws and communications shall be forwarded directly to the national parliaments.

The Croatian Parliament publishes on a daily basis the EU documents received, along with the information on: document number, adoption procedure, transmission date and subsidiarity deadline.

In February 2021, EU institutions forwarded to the Croatian Parliament [43 documents](#): 24 draft laws and 19 communications and other non-binding documents.

## **Inter-parliamentary Cooperation in the European Union**

Inter-parliamentary cooperation in the European Union encompasses the cooperation between the European Parliament and the national parliaments and the cooperation among the national parliaments in the frame of the parliamentary dimension of the Council Presidency.

### **1-2 February 2021 - The eighth meeting of the Joint Parliamentary Scrutiny Group on Europol (JPSG) via remote participation**

The JPSG brought together Members of national parliaments and the European Parliament to fulfil the scrutiny and oversight on the activities of Europol including on fundamental rights. The member of the Domestic Policy and national security Committee Mišel Jakšić participated at the meeting.

The JPSG meets at least twice a year. It is Co-Chaired by the European Parliament and the country holding the rotating Presidency of the Council of the European Union.

The agenda included interventions by Europol Executive Director, Ms Catherine De Bolle and keynote speeches by Commissioner for Home Affairs, Ms Ylva Johansson and Eduardo CABRITA, Minister for Home Affairs of the Portuguese Government on the topic of the revision and strengthening of the mandate of Europol. JPSG heard also a presentation by the European Data Protection Supervisor, Mr Wojciech Wiewiórowski. Thematic debates with high-profile experts included topics of the impact of COVID-19 in the EU's internal security - the role of police cooperation and cybercrime and digital resilience.



## **16 February – Interparliamentary Conference of committees for EU affairs organised by the Austrian Parliament as part of the Twinning Project "Empowerment and further support to the Parliaments of Bosnia and Herzegovina in EU integration tasks"**

Chair of the European Affairs Committee Domagoj Hajduković, Deputy Chair Bojan Glavašević and Member of the Committee Davor Ivo Stier participated in an online Interparliamentary Conference of committees for EU affairs organised by the Austrian Parliament as part of the Twinning Project "Empowerment and further support to the Parliaments of Bosnia and Herzegovina in EU integration tasks".

The Project is being implemented by the Hungarian Parliament, as the leading partner in the implementing consortium, and the Croatian Parliament and the Austrian Parliament as junior partners in the implementing consortium. The first, in a series of online conferences to be organised as part of the Twinning Project, was attended by committees for European affairs of the Croatian Parliament, Hungarian and Austrian parliaments, and committees for European integration of BiH parliaments (the Parliamentary Assembly of BiH, Parliament of the Federation of Bosnia and Herzegovina, National Assembly of the Republika Srpska and the Brčko District Assembly).

The Conference discussed the European path of Bosnia and Herzegovina, with special emphasis on the documents prepared as part of the Twinning Project. It has been proposed that similar conferences be held every few months while each parliament of the consortium implementing the Project will host one conference.

## **17 February – Meeting with the European Commissioner for Justice Didier Reynders**

Members of the Judiciary Committee and the European Affairs Committee held a videoconference with the European Commissioner for Justice Didier Reynders and discussed the first European Commission 2020 Annual Rule of Law Report and the accompanying Country Chapter on the rule of law situation in Croatia.

Opening the meeting, the Chairman of the Judiciary Committee Mišel Jakšić and the Chairman of the European Affairs Committee Domagoj Hajduković thanked Commissioner Reynders for the valuable initiative to hold a virtual discussion on the Rule of Law Report with EU Member States. Supporting the annual reporting initiative, they emphasized that the European Union is based on the rule of law, and that the primary responsibility of all Member States is to ensure that the rule of law is upheld, with a focus on promoting inter-institutional cooperation.

Commissioner Reynders briefly explained the Report, in particular as regards the efficiency, quality and independence of the judicial system, the anti-corruption framework and media pluralism. In the context of Croatia, he especially referred to the role of the State Judicial Council and the State Attorney's Council in the selection of judges after the legal changes in 2018, pointed out the lack of specialized financial investigators in the State Attorney's Office, the importance of digitalization of the judiciary, but also the prevalence of corruption at local level and the importance of the Anti-Corruption Strategy for 2021-2030. He also referred to hate speech and threats to journalists, stressing the importance of insisting on freedom of speech and independent journalism.

During the discussion, the participants pointed out the need to strengthen the institutional fight against corruption and the role of the Commission for the Prevention of Conflicts of Interest, mentioning also the dealings of individual courts in which cases are assigned to judges manually. Also, it was pointed out that the sessions of the Constitutional Court are not public when issues of public interest are discussed. It was stressed that each country has its own specifics and different institutional systems, but that in the application of the rule of law it is necessary to ensure standards and principles that are applicable in all countries.



It was said that the Rule of Law Report is a quality and encouraging document and that the following Reports should provide more precise examples of good and bad practice in individual countries. Despite the reports of judicial institutions in the Republic of Croatia, which indicate positive developments, the perception of the work of the judiciary is still low, it was pointed out in the discussion. The need to strengthen civil society organizations in the field of protection of human rights and the fight against corruption was also stressed, as well as the inclusion in the next Reports of data on compliance with and implementation of judgments of the European Court of Human Rights in Croatia.

In his closing remarks, the Commissioner thanked the participants for their questions and the quality of the debate, stressing the need to continue the dialogue with national authorities and all stakeholders in order to involve all Member States objectively and impartially to strengthen the Union's action in the field of the rule of law, including through funding instruments and programmes. For further dialogue with national authorities, Commissioner Reynders announced a visit to Croatia.

## **22 February – European Parliamentary Week 2021**

A delegation of the Croatian Parliament participated remotely via a video conference: Grozdana Perić, Chair of the Finance and Central Budget Committee, Žarko Tušek, Chair of the Committee on the Economy, Marko Pavić, Chair of the Committee on Regional Development and European Union Funds, Domagoj Hajduković, Chair of the European Affairs Committee, Sandra Benčić, Chair of the Environment and Nature Conservation Committee, Renata Sabljarić-Dračević, Chair of the Health and Social Policy Committee, Marin Lerotić, Deputy-Chair of the Committee on Regional Development and European Union Funds and Katica Glamuzina, Member of the Environment and Nature Conservation Committee.

Keynote speakers stressed that the European Union should use the momentum and focus its plans for recovery from the crisis caused by the Covid-19 pandemic on reducing inequality, strengthening cohesion, boosting the digital and green transition and building a more sustainable and resilient European society.

The discussion between the members of the national parliaments and the European Parliament emphasised the need for joint action of international and European institutions as well as all Member States in order to make the recovery process as successful as possible. As so far only a total of seven Member States, including Croatia, have ratified the Council's Decision on the system of own resources of the European Union, the remaining Member States are invited to do so as soon as possible.

The importance of national recovery and resilience plans, which Member States must submit to the European Commission in April 2021, was stressed for the overall recovery of the European Union economy.

MPs Grozdana Perić, Žarko Tušek, Marko Pavić and Sandra Benčić joined the discussions at the inter-parliamentary committee meetings.



## Inter-parliamentary activities in March 2021

**3 - 4 March** - Inter-Parliamentary Conference for the Common Foreign and Security Policy and the Common Security and Defence Policy (CFSP/CSDP)

**4 March** – Inter-parliamentary Committee Meeting on International Women's Day 2021- Women's empowerment and leadership in COVID-19 times, organised by the European Parliament Committee on Women's Rights and Gender Equality (FEMM)

**11 March** – Interparliamentary Conference of committees for agriculture organised by the Hungarian Parliament as part of the Twinning Project "Empowerment and further support to the Parliaments of Bosnia and Herzegovina in EU integration tasks"

**23 March** – Interparliamentary Conference of committees for economy organised by the Croatian Parliament as part of the Twinning Project "Empowerment and further support to the Parliaments of Bosnia and Herzegovina in EU integration tasks"

**29 March** - Meeting of the Secretaries General of the European Union Parliaments

