European Scrutiny Committee

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From: Mr William Cash MP

30 May 2011

Maroš Šefčovič
Vice-President of the European Commission
Inter-Institutional Relations and Administration
Rue de la Loi 200
1049 Brussels
Belgium

Dear Maroš,

Opting into international agreements and enhanced parliamentary scrutiny of opt-in decisions

Attached is a recent Report the European Scrutiny Committee produced on the UK's policy on opting into EU international agreements, and also on how the UK's opt-in decisions will be scrutinised by the House of Commons. Both might be of interest to you and your officials; particularly the former, where we conclude that, by unilaterally asserting that the opt-in Protocol applies to provisions in international agreements, the UK is likely to be in breach of Protocol 2 and certainly risks undermining the unity of EU law.

I am copying this letter to Lord Roper and Jake Vaughan at the House of Lords; Les Saunders at the Cabinet Office; and David Beeney and Sarah Winter at the Foreign and Commonwealth Office.

Yours, Bill Cash

CHAIRMAN

House of Commons

European Scrutiny Committee

Opting into international agreements and enhanced Parliamentary scrutiny of opt–in decisions

Thirtieth Report of Session 2010–12

Volume I

Report, together with formal minutes

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The European Scrutiny Committee

The European Scrutiny Committee is appointed under Standing Order No.143 to examine European Union documents and—

a) to report its opinion on the legal and political importance of each such document and, where it considers appropriate, to report also on the reasons for its opinion and on any matters of principle, policy or law which may be affected;
b) to make recommendations for the further consideration of any such document pursuant to Standing Order No. 119 (European Committees); and
c) to consider any issue arising upon any such document or group of documents, or related matters.

The expression "European Union document" covers —

i) any proposal under the Community Treaties for legislation by the Council or the Council acting jointly with the European Parliament;
ii) any document which is published for submission to the European Council, the Council or the European Central Bank;
iii) any proposal for a common strategy, a joint action or a common position under Title V of the Treaty on European Union which is prepared for submission to the Council or to the European Council;
iv) any proposal for a common position, framework decision, decision or a convention under Title VI of the Treaty on European Union which is prepared for submission to the Council;
v) any document (not falling within (ii), (iii) or (iv) above) which is published by one Union institution for or with a view to submission to another Union institution and which does not relate exclusively to consideration of any proposal for legislation;
vi) any other document relating to European Union matters deposited in the House by a Minister of the Crown.

The Committee's powers are set out in Standing Order No. 143.

The scrutiny reserve resolution, passed by the House, provides that Ministers should not give agreement to EU proposals which have not been cleared by the European Scrutiny Committee, or on which, when they have been recommended by the Committee for debate, the House has not yet agreed a resolution. The scrutiny reserve resolution is printed with the House's Standing Orders, which are available at www.parliament.uk.

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The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at http://www.parliament.uk/business/committees/committees-a-z/commons-select/european-scrutiny-committee/.

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Contents

Report

1 Opting into EU legislation — legislative framework

Title V

1. The EU's competence in the area of justice covers civil justice, criminal justice, and police cooperation.[1] Together with immigration and asylum,[2] this field of competence comes under the EU banner of "Justice and Home Affairs" (JHA), now more formally titled the "Area of Freedom, Security and Justice" under Title V of Part Three of the Lisbon Treaty (Title V).

2. Prior to the entry into force of the Lisbon Treaty, legislation in the area of criminal justice and police cooperation was adopted through intergovernmental procedures: proposed by the Commission or a group of Member States and agreed by unanimity in the Council, so with each Member State having a right of veto. The European Parliament only had to be consulted. The Court of Justice of the EU (ECJ) had jurisdiction only where a Member State had given its consent (the UK did not give its consent), and JHA legislation in the form of Framework Decisions could not have direct effect.

3. The competences of the EU institutions in the JHA field were substantially revised with the entry into force of the Lisbon Treaty. Member States agreed that, with some exceptions, legislation adopted pursuant to Title V would be agreed by the ordinary legislative procedure (the post-Lisbon term for co-decision). This means that the Council acts by qualified majority and the European Parliament has equal co-legislative powers, so that legislation cannot come into force without its consent. Legislation adopted under Title V now falls automatically within the jurisdiction of the ECJ and can have direct effect.

Opt-in Protocol

4. The UK's loss of a right of veto has been replaced by an opt-in Protocol (the opt-in Protocol),[3] by which none of the legislation adopted pursuant to Title V will apply to the UK unless it opts into it within three months from when it is presented to the Council, or at any time after it has been finally adopted by the Council.

5. Ireland is party to the opt-in Protocol and so has the same opt-in rights as the UK.

Denmark

6. Denmark has opted out of all Title V legislation without a similar mechanism for opting in as in the opt-in Protocol.4

[1] See Articles 81 – 89 of the Treaty on the Functioning of the European Union.
[2] See Articles 77- 80 of the Treaty on the Functioning of the European Union.
[3] Protocol (No 21)
[4] Protocol (No 22)

2 Opting into EU international agreements

7. The Committee has considered a number of EU international agreements where the UK has asserted that the opt-in Protocol applies to certain provisions within those agreements, so that they do not bind the UK unless the UK opts in. But in nearly all cases the recitals to those agreements, or the Council Decisions to give effect to them, make no mention of a legal base in Title V, which would be expected of normal EU legislative practice.

8. When the Committee questioned this policy in Committee Reports,[5] the Government responded by explaining that, in its view, the opt-in Protocol is engaged wherever a measure covers a matter that falls within Title V, but that this is not dependent on the citation of a Title V legal base.

9. The Committee thought this a novel argument: the principles of conferral of power by Member States on the EU, and of legal certainty, require EU legislation to state the legal basis on which the EU has power to act, or, for these purposes, on which such power is not binding on the UK. Citing the legal base reflects what has been agreed between the EU institutions to be the scope of the legislation; without it Member States could decide the scope of a provision unilaterally, based on a subjective view of its content. This would lead to uncertainty and inconsistency in the application of EU law.

10. We also looked at the Treaty language. Article 2 of the opt-in Protocol says that "no provision of any international agreement concluded by the Union pursuant to that Title [V]" can be "binding on or applicable" in the UK or Ireland unless either opts into it. The Committee concluded that the ordinary meaning to be given to "pursuant" was that the agreement, or the Council Decision concluding it, should state on its face which of the provisions are concluded pursuant to Title V.

11. Does the Government's approach matter? No — if you think that the UK should assert its right to opt out of EU legislation wherever possible, including where the basis for doing so has not been agreed at EU level. Yes — if you think that this approach creates uncertainty as to which provisions in an international agreement the UK is bound by as a matter of EU law, and what legal effect they will have domestically; yes — if you think it could lead to other Member States adopting unilateral interpretations of EU obligations when it suited them; and yes — if you think that transparency and predictability are necessary in a functioning system of law.

12. The Committee decided that this issue raised questions of sufficient legal importance to ask the Minister for Europe to give evidence on it. This he did on 27 April 2011.

13. In evidence, the Minister explained that the legal advice across Whitehall had been very clear that the opt-in applies to JHA matters on the basis of content rather than on an explicit citation;[6] that the Committee was right to say that other Member States and the institutions took a different view, although he questioned how many of them thought it relevant; that it was true that the European Commission took the "minimalist" view that

[5] See, for example; HC 428 – xvi (2010-11), chapter 6 (9 February 2011) and HC 428 – xvii (2010-11), chapter 5 (16 February 2011).
[6] Qq 26 and 39 of HC 955-II

the citation of a Title V Treaty base was required; [7] that, the Council secretariat now took the view that explicit legal bases should be given not just in respect of Title V but over any element of an international agreement where there were specific obligations imposed on and accepted by EU Member States as a consequence of that agreement.[8]

14. Seeking clarification, we asked the Minister to confirm that a Regulation or Directive could not be considered to engage the opt-in Protocol unless it had a Title V legal base set out in the recitals,[9] raising the question why a different approach should be taken to international agreements. The question was not answered. But in response, the Minister's legal adviser explained that the Government "completely" agreed that the better practice was for a Title V legal base to be cited in an international agreement because that "assisted in the clarity and transparency of the measure"; however, to do so was not a legal necessity, so the Government's approach would still be driven by the content of a piece of legislation, not the citation of a legal base.[10] Asked whether he thought the ECJ would be likely to agree with the UK's interpretation, he said any answer would be speculative, but the UK would have to argue its case and seek to persuade the ECJ it was right.[11]

15. We asked the Legal Adviser what Ireland thought of the UK's interpretation of the opt-in Protocol. It transpired that Ireland did not agree with it:

> "So, they take entirely the contrary view and indeed the view we have expressed in correspondence with the Minister?"
>
> "I think that has been their practice to date, yes."[12]

16. He also confirmed that, like Ireland, the Commission took the view that the Title V legal base had to be cited. He was unable to say what view Denmark took.

3 Written Ministerial Statement of 20 January 2011 on extending Parliamentary scrutiny of Title V opt-in decisions

17. The Minister for Europe's Written Ministerial Statement[13] says that current arrangements for scrutiny of Title V Opt-in and Schengen Opt-out decisions are inadequate because Parliament has too small a role. The Government formally undertakes to extend scrutiny by:

- making a written (or, where appropriate, an oral) statement to Parliament on each opt-in decision made by the Government, explaining why the Government believes it to be in the national interest;

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[7] Q 27
[8] Q 28
[9] Q 29
[10] Qq 29, 30, 31, 40
[11] Qq 32 , 38
[12] Q 35
[13] HC Deb, 20 January 2011, cols 51-52WS

- participating in any debate called for by the Scrutiny Committees [Commons and Lords] on any opt-in decision in order to ensure "full transparency and accountability of opt-in decisions";

- setting aside Government time for a debate in both Houses on the basis of a motion on the Government's recommended approach to the opt-in, in cases where there is particularly strong Parliamentary interest in the Government's decision whether or not to opt in – the Government suggests that a debate would be appropriate where a proposal to opt into a measure would have "a substantial impact" on the UK's criminal or civil law, national security, civil liberties or immigration policy [referred to below as "Lidington debates"] ; and

- applying the same arrangements to Schengen Opt-out decisions.

18. In a subsequent letter of 3 March to the Committee,[14] the Minister for Europe adds that the Government envisages "a twin-track approach" whereby, for each Title V proposal, there would "need to be a point at which we agree whether the opt-in decision is subject to the Ashton arrangements or the enhanced arrangements set out in my statement." The Ashton arrangements refer to undertakings given by Baroness Ashton, as the then Leader of the House of Lords, on 9 June 2008 to ensure that Parliament's views were fully considered by the Government when deciding whether or not to opt into a Title V measure. The letter continues:

> I can assure you that our intention will be to reach workable arrangements that enhance scrutiny and enable the Government to opt in when it is in the national interest and supported by Parliament.

19. The Minister invites the Committee to suggest "constructive solutions" to deal with opt-in decisions which have to be notified to the Council Presidency during a Parliamentary recess. He concludes:

> Under the new arrangements, Parliament will have far greater powers to influence the eventual opt-in decision. I very much hope that the new commitments will also enhance the ability of both Houses to hold the Government to account and retain the best elements of the current system, including detailed scrutiny of new proposals. The Committees' views will continue to be extremely influential, for example, in signalling whether the level of parliamentary interest in a decision means that it should be subject to a debate on Government time.

20. Under the twin-track approach envisaged by the Government, opt-in decisions which do not attract "particularly strong parliamentary interest" would continue to be dealt with in line with the Ashton undertakings: a debate in European Committee on a Government motion, but without the Government committing itself to a position on the opt-in and without a formal guarantee that the debate would take place within the three-month period available to the Government to decide whether or not to opt in (referred to below as "Ashton debates").

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[14] See HC 955-II.

21. The Committee discussed the contents of the Written Ministerial Statement, along with the Minister for Europe's letter of 3 March, and wrote to the Minister on 29 March summarising its position as follows:

- the Committee agreed with the Government's proposed dual track approach, with parliamentary consideration of opt-in decisions being split between Ashton debates (in European Committee on a take note motion) and "Lidington" debates (on the floor of the House and on a motion endorsing the Government's decision to opt in). In both cases, if the debate is to inform the Government's decision to opt in, then it would need to be held within the three-month deadline set out in the Treaty and in any event before the opt-in decision is taken;

- the Government has suggested that as a general rule it would be appropriate to hold floor debates on decisions to opt into measures which would have a substantial impact on the UK's criminal or civil law, national security, civil liberties or immigration policy. The Committee regards these criteria as appropriate and sufficiently fluid to avoid tying the Committee's hands. The presumption should be that opt-in decisions on such matters would be taken on the floor following a recommendation by the European Scrutiny Committee, but that the Committee could, if it saw fit, suggest instead a debate in European Committee;

- the Government's Annual Report to Parliament on the Application of the UK's Opt-In Protocol lists forthcoming legislative proposals with respect to opt-in decisions. It would be possible to give an advance indication to Government of those proposals which would merit a Lidington debate, provided this did not fetter the Committee's discretion to recommend additional opt-in decisions for a "Lidington debate" where the Committee believes it justified;

- the European Scrutiny Committee should have the lead role in deciding what constitutes a 'particularly strong Parliamentary interest' for the purpose of identifying opt-in decisions suitable for "Lidington debates". This could be supplemented by a role for backbench members, in that a request by fifty or more members, as signatories of an "opt-in scrutiny motion" (to distinguish it from an EDM[15]) would also trigger such a debate;

- Parliamentary recesses ought not to cause an insuperable difficulty. September sittings mean there is no longer an unbroken period of more than three weeks when the House does not sit. The exception is August, when the European institutions are themselves closed. Under the subsidiarity "yellow card" procedure the Commission does not count August as part of the eight weeks allowed to national parliaments for the submission of a reasoned opinion. Since parliamentary recesses do not differ widely between Member States we do not think it impractical to expect the opt-in timetable in Brussels to take account of them and for the UK Government, recesses notwithstanding, not to opt into measures without a debate in parliament if the Committee has requested one; and

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[15] Early Day Motion

- as part of its inquiry into sittings of the House the Procedure Committee is looking at the use of Wednesday evenings. In view of the extra debating time needed for parliamentary scrutiny of opt-in decisions we suggest that Wednesday evenings be used for European business.

22. In evidence, we asked the Minister for an assurance that all debates on opt-in decisions, whether held under the Ashton or the Lidington arrangements, would be held within the three month period available to the Government to reach a decision under its opt-in Protocol. The Minister explained that such an assurance was not solely within his gift,[16] but added:

> What I am very willing to do is to make it clear that my strong wish would be for the Government to be able to accede to what you and your fellow members of the Committee wish to see done. I think it would be a lot healthier in terms of parliamentary scrutiny and the relationship between the Government and Parliament if we are able to deliver within the three month deadline. If it is not possible it leaves open the possibility of a post facto 'take note' debate so Parliament can express an opinion, but I fully concede that that is a very poor second best to Parliament having its say in advance of the decision being taken.[17]

23. The Minister highlighted the difficulties which might make it impractical for the Government to guarantee a debate before reaching a final decision on whether or not to opt into a Title V proposal. For example, if an urgent decision was needed to protect "an essential national interest"[18] or if the deadline for deciding whether or not to opt in fell during the summer recess. We suggested that the Government should explore with the EU institutions the possibility of exempting August when calculating the three month opt-in deadline. We thought that the Government could pray in aid the arrangement operated by the Commission whereby the eight-week period provided for the submission of "reasoned opinions" by national parliaments under the Protocol on the Application of the Principles of Subsidiarity and Proportionality discounted the month of August. The Minister questioned whether "legally in terms of the Treaty it is possible to exempt August"[19] and whether politically other Member States and the EU institutions would agree to do so. He nevertheless undertook to make formal inquiries.

24. Turning to the requirement to demonstrate that a proposed opt-in decision attracted 'particularly strong parliamentary interest' in order to trigger a "Lidington debate", we pressed the Minister for an assurance that the European Scrutiny Committee would play a lead role and that, if it so determined, the ensuing debate should be held on the floor of the House. The Minister noted that there were "two issues that come into play."[20] The first concerned the content of a Title V proposal. He thought there was broad agreement on the criteria set out in his Written Ministerial Statement, namely a substantial impact on UK criminal or civil law, national security, civil liberties or immigration policy. The second issue concerned "the trigger point" for a debate in terms of the degree of Parliamentary interest. While recognising the need for "a more enhanced degree of parliamentary

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[16] Q 43
[17] Q 44
[18] Q 44
[19] Q 47
[20] Q 45

scrutiny", the Minister said that "Parliament must accept that the degree of significance of particular justice and home affairs measures varies, as does the degree of controversy."[21]

25. The Minister was pressed on how extensive Parliament's power to influence the Government's opt-in decision would be. He was reluctant to describe the "Lidington debates" as akin to the so-called "parliamentary lock" contained in section 6 of the EU (Amendment) Act 2008, which contemplates the same parliamentary procedure – approval without amendment of a Government motion in both Houses. He recognised, however, that a decision by the Government "to ignore a clear opinion of the House of Commons in particular would have some serious difficulties."[22]

He added:

> The question in my mind is whether, therefore, you need to write a lock into either legislation or Standing Orders, or whether you can just make the assumption that the politics will have its own effect.[23]

26. Finally, the Committee noted that the Minister's Written Ministerial Statement makes provision for a vote in both Houses on the Government's decision (to be taken no later than May 2014) on whether or not opt out *en masse* of JHA measures adopted before the Lisbon Treaty entered into force and which have not subsequently been amended or repealed. We asked him how decisive that vote would be in influencing the Government's decision. The Government had three options, according to the Minister: to opt in *en masse*; to opt out *en masse*; or to opt out and then apply to opt back into individual measures on a case by case basis. He thought that "the nature of the debate and any vote at the end of it will depend in part upon how the Government decides to address those questions and those three choices."[24] He continued:

> It seems to me completely implausible that a Government could go ahead with a decision to opt in en masse to these if there had been an adverse vote in the House of Commons against them. I do not see how that is politically sustainable for any Government of any political colour.[25]

4 Post-adoption opt-in decisions

27. A Government decision to opt into legislation is taken in Whitehall rather than in Brussels, after which a written notification is sent to the Commission for consideration. In view of this the last Government agreed with the Committee that a new House of Commons resolution would be needed to cover the Ashton undertakings on parliamentary scrutiny of opt-in decisions, the current scrutiny reserve resolution only addressing ministerial decisions taken in Brussels.

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[21] Q 55
[22] Q 66
[23] Q 69
[24] Q 71
[25] Q 71

28. The Written Ministerial Statement does not address post-adoption opt-ins. A recent dossier shows, however, why post-adoption opt-in decisions should be addressed. On 7 February the Home Office wrote to say that the human trafficking Directive was to be adopted on 21 March 2011; that the Government intended to make a decision on opting-in in February; and that the Committee should give its views by 21 February. In correspondence the Committee objected to this timeframe (of 14 days) for scrutiny, saying that the Protocol set no time-limit within which the Government should take this decision and that the Committee would need more time to scrutinise the proposal on the basis of further information from the Government on the implications of the Directive for the UK. The Government subsequently sent both a further letter and an Explanatory Memorandum on the Directive with an extension of time for Parliamentary scrutiny until 17 May.[26]

29. The Committee asked the Minister about scrutiny of these types of opt-in decision in evidence. His answer was helpful: he said that if the Government were to apply for a post-adoption opt-in, not having opted in at the initial stage, this would be subject to the enhanced scrutiny arrangements,[27] and in saying this he was giving an undertaking to Parliament:

> "I take it from the way you express yourself that you are providing us with an undertaking?"
>
> "Yes."[28]

5 Conclusions

Opting into international agreements

30. There are several difficulties with the Government's approach to when the opt-in Protocol applies. Of greatest concern to the Committee is that a unilateral subjective assessment of the content and legal effect of a provision of a multilateral agreement will inevitably lead to legal uncertainty, if not litigation. We think the Minister's legal adviser had it right when he said the Government "completely" agreed that the better practice was for a Title V legal base to be cited in an international agreement because "it achieves the greatest level of legal certainty, because in those circumstances it is clear on the face of the legislation that there is a JHA content in the provision and the opt-in is engaged."[29] These, we suggest, are all the reasons why a legal base must, rather than may, be cited.

31. A further difficulty is the consequence of the Government's approach for Denmark and Ireland. A unilateral assessment by the UK that a provision in an international agreement is made pursuant to Title V means that Ireland would have to opt into the provision in order to be bound by it, and Denmark would be excluded. Given such consequences, it is hardly probable that the legal base need not identify the applicable Treaty Article in Title V.

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[26] HC 955-II
[27] Q 73
[28] Q 74
[29] Q 40

32. It transpires that Ireland and the Commission take a different view to the UK of whether a legal base in Title V should be cited. In the case of Ireland, this leads to the unfortunate situation that the only other beneficiary State to the opt-in Protocol takes the contrary view of when the opt-in applies. In the case of the Commission, there is a risk that it might bring an action in the ECJ should the UK assert that it can opt out of a binding provision in an international agreement without the need for a Title V legal base.

33. A Regulation or Directive would always cite a Title V legal base if the opt-in was considered to be engaged. Given this, the Government's approach to EU international agreements has the consequence of placing them in a category *sui generis,* for which the Committee fails to find any justification in the EU Treaties.

34. In addition, the Government's approach may set an unhelpful precedent in a multilateral system of law based on transparency, consistency and predictability: other EU Member States may wish to take a similar approach to Treaty obligations they would prefer not to be bound by.

35. In all, we conclude that the reality of the situation is that the Government is in a minority of one in arguing that its interpretation of Title V is correct: were this not the case other Member States (particularly Ireland and Denmark) and the EU institutions could be expected to agree to the citation of a Title V legal base. We think this approach is based more on wishful thinking than reasonable legal interpretation. More importantly, however, there is a risk that it might lead to the unwelcome consequences listed above. We therefore ask the Government to reconsider its policy on the application of Title V to EU international agreements.

Written Ministerial Statement of 20 January 2011 on extending Parliamentary scrutiny of Title V opt-in decisions

36. We agree with the Minister that a debate after the Government has notified its decision to opt into a Title V proposal "is a very poor second best." We remain to be convinced that the practical difficulties he cites provide sufficient grounds for reaching a final opt-in decision before Parliament has had the opportunity to express its views by agreeing a Resolution following debate on a Motion.

37. The Minister acknowledges the serious political difficulties that the Government would face if it ignored an adverse vote in the House of Commons following a debate on a Motion to opt in, but suggests that "the politics will have its own effect." He also describes as "completely implausible" the possibility that the Government would act inconsistently with the House of Commons when determining whether or not to opt out of pre-Lisbon JHA measures. Given these political realities, we consider that a vote in the House of Commons opposing the Government's position should be decisive and operate as a parliamentary lock.

38. We welcome the Minister's undertaking to raise formally with the EU institutions the possibility of discounting the month of August when calculating the three month period available to the UK (and Ireland) to decide whether or not to opt into a Title V proposal. We note the precedent established with regard to the calculation of the eight-week deadline for the submission by national parliaments of "reasoned opinions" under Protocol No 2 on

the Application of the Principles of Subsidiarity and Proportionality. We do not see, therefore, why such a proposition should present legal difficulties, and ask the Minister to inform us of the outcome of his discussions.

Post-adoption opt-in decisions

39. We welcome the Minister's undertaking that post-adoption opt-in decisions will be subject to enhanced scrutiny.

40. We recognise the value of a time limit for Parliamentary scrutiny post such decisions, but question whether an eight-week period is appropriate, as the Protocol does not provide a time limit within which the UK must take this decision.

Formal Minutes

Wednesday 18 May 2011

Members present:

Mr William Cash, in the Chair

Mr James Clappison	Kelvin Hopkins
Michael Connarty	Chris Kelly
Nia Griffith	Jacob Rees-Mogg
Chris Heaton-Harris	Henry Smith

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Draft Report (*Opting into international agreements and enhanced Parliamentary scrutiny of opt-in decisions*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 37 read and agreed to.

Resolved, That the Report be the Thirtieth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Written evidence was ordered to be reported to the House for printing with the Report.

[Adjourned till Tuesday 24 May at 10.30 am.

List of witnesses and written evidence HC 955-II

Witnesses

Wednesday 27 April 2011 *Page*

Rt Hon. David Lidington MP, Minister for Europe, **Simon Manley,** Europe Director and **Gerry Regan,** Legal Adviser, Foreign and Commonwealth Office HC 955-II

List of written evidence

1 Letter from the Rt. Hon David Lidington, Minister for Europe, Foreign and Commonwealth Office to the Chairman of the Committee – dated 28 September 2010

2 Letter from the Chairman of the Committee to the Rt. Hon David Lidington MP, Minister for Europe, Foreign and Commonwealth Office – dated 20 October 2010

3 Letter from the Rt. Hon David Lidington, Minister for Europe, Foreign and Commonwealth Office to the Chairman of the Committee – dated 3 February 2011

4 Letter from the Chairman of the Committee to the Rt. Hon William Hague MP, Secretary of State of Foreign Affairs, Foreign and Commonwealth Office – dated 17 February 2011

5 Letter from the Rt. Hon David Lidington MP, Minister for Europe, Foreign and Commonwealth Office, to the Chairman of the Committee – dated 3 March 2011

6 Letter from the Rt. Hon William Hague MP, Secretary of State for Foreign Affairs, Foreign and Commonwealth Office – dated 28 February 2011

7 Letter from the Chairman of the Committee to the Rt. Hon William Hague MP, Secretary of State for Foreign Affairs, Foreign and Commonwealth Office – dated 10 March 2011

8 Letter from the Chairman of the Committee to Rt. Hon David Lidington MP, Minister for Europe, Foreign and Commonwealth Office – dated 29 March 2011

9 Letter from the Chairman of the Committee to the Rt. Hon David Lidington MP, Minister for Europe, Foreign and Commonwealth Office – dated 11 May 2011

10 Letter from Rt. Hon David Lidington MP, Minister for Europe, Foreign and Commonwealth Office to the Chairman of the Committee – dated 16 May 2011