

Conference of Community and European Affairs Committees  
of Parliaments of the European Union (COSAC)

Contribution adopted by the XXXVIII COSAC  
Estoril, 14-16 October 2007

## 1. The IGC and the Future of Europe

1.1. COSAC welcomes the Presidency Conclusions of the European Council held in Brussels on the 21 and 22 of June, where an agreement was reached concerning the convening of an Intergovernmental Conference (IGC), under the terms of Article 48 of the TEU (Treaty on European Union).

1.2. COSAC supports the firm stance taken by the Presidency concerning the methodology and timetable for the IGC, so that it is capable of carrying out its work in accordance with the clear and precise mandate decided by the European Council. COSAC welcomes the fact that the IGC mandate envisages a further development of the role of national parliaments in the European Union whilst safeguarding the substance of the 2004 IGC in this respect.

1.3. COSAC expresses its support for the Presidency's goal of completing the work of the IGC as quickly as possible. Therefore COSAC wishes that the Reform Treaty is approved during the Informal Meeting of Heads of State and Government on 18 and 19 October, so that the new institutional arrangements, once ratified, would be in place before the European Parliament elections due to be held in June 2009.

1.4. COSAC believes that the role of both the national parliaments and the European Parliament in the EU decision-making process will be enhanced and strengthened as a result of the new subsidiarity procedures and additional provisions in the new Reform Treaty. These mechanisms must contribute to ensure that national parliaments become more closely involved in the EU decision-making process and play a stronger role *vis-à-vis* their governments in EU Affairs.

1.5. COSAC would appreciate a clarification in Article 6 of Protocol No. 2 to the Treaty on European Union (Protocol on the Application of the Principles of Subsidiarity and Proportionality) to the effect that the timeframe of eight weeks for the subsidiarity check should begin only when a draft legislative act has been transmitted to national parliaments in all the official languages of the Union.

1.6. Furthermore, COSAC acknowledges that the implementation of the new rights of national parliaments in the context on the new Reform Treaty requires not only an enhanced dialogue between national parliaments, but also a full cooperation from European institutions to ensure an exchange of information with national parliaments in order to promote transparency, democracy and legitimacy of EU legislation. Therefore, the IGC process currently underway should be providing a good opportunity to strengthen the channels of communication with National Parliaments, so that they can be closely involved and have their views taken into account. COSAC wishes that National Parliaments be associated with Intergovernmental Conferences.

## **2. Cooperation with the European Commission**

2.1. In September 2006 the Commission started to transmit all new proposals and consultation papers directly to national parliaments, inviting them to react so as to improve the process of policy formulation. COSAC notes that approximately a year after, the assessment of this mechanism is generally positive. This mechanism brought a new dimension to the cooperation of national parliaments with the Commission and facilitates the monitoring of EU affairs by national parliaments.

2.2. COSAC welcomes the commitment by the Commission to take into account the views submitted by national parliaments. This mechanism must be preserved in parallel with the implementation of the provisions contained in the Reform Treaty with regard to national parliaments. It has encouraged many national parliaments to assume a more active role in the pre-legislative phase of the EU decision-making and thus has enhanced their possibilities to participate effectively at an early stage of the process.

2.3. COSAC highlights the importance of the dialogue being developed between the Commission and national parliaments and wishes this to include concrete action to inform national parliaments at an early stage about the Commission's policy projects. In this context, COSAC reiterates the wishes already expressed on the occasion of the XXXVII COSAC in Berlin that the positions of national parliaments are taken into account by the Commission in the formulation of its Legislative and Work Programme for 2008.

2.4. Concerning the proposals transmitted by the Commission to National Parliaments, COSAC calls upon the Commission to upload to the IPEX the different comments it has received from National Parliaments. COSAC also encourages the Commission to provide National Parliaments with an assessment of how it has taken or plans to take these into account in further formulations of policy.

## **3. Parliamentary monitoring of the Lisbon Strategy**

3.1. COSAC notes that national parliaments are already actively involved in the implementation of the Lisbon Strategy, namely in their roles as legislators. COSAC wishes however that further developments be made as far as some parliaments' monitoring of the open method of coordination of the Lisbon Strategy is concerned.

3.2. COSAC encourages parliaments to try to influence the earlier stages of the process as it would provide the link with the subsequent implementation phase, where parliaments are involved. COSAC emphasises the importance of national parliaments in the Lisbon Strategy, namely with regards to its national ownership and visibility.

3.3. COSAC stresses that an increase in the electronic interparliamentary exchange of information and best practice regarding the monitoring of the Lisbon Strategy would further contribute to the enhancement of the role that parliaments can play in this domain. In this context, COSAC welcomes the fact that national parliaments and the European Parliament continue their cooperation in the framework of the Joint Parliamentary Meetings that have been organised since 2005 in advance of the Spring European Council.

3.4. COSAC calls on all national parliaments to analyse this issue, namely before the upcoming review of the Lisbon Strategy at the Spring European Council 2008, under the Slovenian Presidency, and stresses the importance of national parliaments being informed about the ongoing preparations for the new three year implementation cycle from 2008-2011.

#### **4. The Mediterranean Dimension of the EU**

4.1. COSAC stresses the strategic importance of the Mediterranean region for the EU. The EU policies towards the Mediterranean partners shall contribute actively to the promotion of political stability, security and also to the development of an area of shared prosperity. COSAC encourages the fostering of social and cultural exchanges, so that a better understanding between peoples and the different religions is promoted.

4.2. COSAC encourages the Member States of the EU to make use of the policy instruments that exist, namely the Euro-Mediterranean Partnership and the European Neighbourhood Policy, in a more coherent and rationalised way, so that the extensive set of policy prescriptions of the Barcelona Association Agreements can be properly linked to the domestic policy programmes of the individual partner states. COSAC emphasises that the connection between the three areas of cooperation – peace, trade and civil society – needs to be highlighted. COSAC wishes that a strengthening of cultural and university cooperation be included in the Euro-Mediterranean agenda in order to develop a specific domain that is concerned with the dimension of cultural identities.

4.3. COSAC highlights the crucial importance of the Parliamentary Dimension of the Euro-Mediterranean Partnership, namely in assessing which might be the priorities in bilateral and multilateral dimensions. It also welcomes the contacts and exchanges that take place in the framework of friendship groups, visits and missions. COSAC emphasises that all these can contribute deeply to the visibility of the Partnership and can also engender a certain feeling of ownership by the all the actors involved in this process.

4.4. COSAC calls upon all the partners involved to cooperate closely to find a comprehensive and integrated policy in the field of migration that is capable of providing the necessary linkage between the expectations of both sides, and assessing in what way migration brings benefits to all parties involved. COSAC stresses the need to address the serious issue of irregular migration, whilst ensuring full respect for human rights; including the need to vigorously oppose human trafficking, which is causing loss of life and a great deal of suffering, and recognising that migration and development are closely interlinked. It is also most important to recognise the benefits of legal immigration, especially that of qualified entrants to the European labour market.

#### **5. Parliamentary monitoring of the EU financial programmes**

5.1. COSAC calls upon the European institutions involved in the inter-institutional agreements when defining the EU multi-annual framework (the so called 'financial perspectives') to inform national parliaments about the priorities and strategic goals of that framework.

5.2. COSAC encourages national parliaments to further develop their scrutiny in these specific areas, namely the multi-annual framework, the specific spending programmes and the annual budget. This three-fold structure of scrutiny might give a broader and deeper insight in the structure of EU financial programmes.

5.3. Within the scope of the 2008-2009 Budget Review, COSAC invites national parliaments to express their views before the conclusion of that review, namely through an active involvement in the conference to be organised by the Commission after the consultation period launched by this institution ends. National parliaments are also encouraged to exchange information on the results of their scrutiny and on whether they have directly forwarded their opinions to the Commission.

**Conclusions adopted by the XXXVIII COSAC**  
**Estoril, 14-16 October 2007**

**1. Subsidiarity and proportionality checks**

1.1. COSAC recalls the decision taken at the XXXVII COSAC meeting in Berlin to conduct at least two subsidiarity and proportionality checks per year. For this purpose, COSAC evokes the selection procedure established in Berlin that should be as follows:

a) After the presentation of the European Commission's Legislative and Working Programme 2008, due to take place in October 2007, the national parliaments are invited to check the Programme making use of their own practices, and to inform, if possible in November 2007, the COSAC Presidency of the proposals they wish to subject to the subsidiarity and proportionality check. Additional proposals may be subsequently submitted.

b) The Presidential Troika should designate the two proposals most frequently mentioned as subject to the check and submit a corresponding suggestion to the national parliaments. If there are no objections, the Presidential Troika shall state that the designated proposals have been selected. The Presidential Troika will then request the COSAC Secretariat to start the procedure.

**c) National Parliaments are also encouraged to initiate and conduct any subsidiarity and proportionality checks they choose.**

1.2. Recalling the decision taken at the COSAC Chairpersons Meeting, held in Lisbon on 11 and 12 of July, to conduct a subsidiarity and proportionality check on the proposal for a Council Framework Decision on Combating Terrorism, COSAC takes note that this proposal is expected to be published in the beginning of November. If this is confirmed, the subsidiarity and proportionality check will be conducted still in 2007. The COSAC Secretariat will be asked to prepare the necessary arrangements for this check which shall be conducted by the National parliaments within a period of eight weeks after a draft legislative act being made available in all official languages of the EU. The results of this subsidiarity and proportionality check will be discussed under the Slovenian Presidency.

**2. Amendment of the COSAC Rules of Procedure**

2.1. COSAC welcomes the endeavours of the Portuguese Presidency, with the support of the Presidential Troika, to reach a consensus on the proposal amending the COSAC Rules of Procedure as to include the provisions about the COSAC Secretariat and its Permanent Member.

2.2. COSAC appreciates the constructive efforts made by all delegations, in close cooperation with the Presidential Troika, to reach this important agreement.

2.3 The amendment to the COSAC Rules of Procedure, as it was unanimously agreed during the XXXVIII COSAC in Estoril, is attached to these Conclusions. The COSAC Secretariat is asked to prepare its publication in the Official Journal of the European Union.

### **3. Appointment and co-Financing of the permanent member of the Secretariat**

3.1. COSAC congratulates Ms. Sarita Kaukaoja for her work as the permanent member of the COSAC Secretariat from 15 January 2006. COSAC thanks the *Eduskunta* of Finland for facilitating and funding the secondment of Ms. Sarita Kaukaoja to the post.

3.2. COSAC notes that the necessary requirements to appoint a permanent member of the COSAC Secretariat at the XXXVIII COSAC Meeting are not fulfilled. This decision should therefore be taken by the Chairpersons Meeting to be held under the Slovenian Presidency.

COSAC notes with gratitude that Ms. Sarita Kaukaoja, while retiring from the post of permanent member on 15 January 2008, has undertaken to ensure the discharge of the post's essential functions pending the appointment of her successor. COSAC invites Member State parliaments to nominate qualified candidates as soon as possible, and in any case within 2007, in order that the vacancy may be filled by the COSAC Chairpersons' meeting on 18 February 2008.

3.3. COSAC welcomes the 23 letters of intent of COSAC parliaments or parliamentary chambers<sup>1</sup> expressing their commitment to participate in the co-financing of the permanent member of the COSAC secretariat and the costs of running COSAC's office and website.

3.4. COSAC welcomes the fact that the threshold on a minimum of the national parliaments of fourteen Member States has been achieved.

### **4. Future suggestions for debate**

4.1. Noting that Article 7 of the COSAC Rules of Procedure provide for discussion at COSAC of subjects which Delegations have indicated they might wish to see discussed at COSAC during the following year, COSAC held a debate on the basis of a document prepared by the Secretariat, which is available at the COSAC website at:

<http://www.cosac.eu/en/meetings/Lisbon2007/plenary/future.pdf/>

4.2 COSAC stresses that this document contains only a summary of topics that EU Affairs Committees would like to discuss in the near future in the framework of COSAC and it shall not be binding to the forthcoming presidencies in any way.

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<sup>1</sup> The letters received until 16 October concern the Austrian Parliament, the Belgian Senate and House of Representatives, the Bulgarian Parliament, the Czech Chamber and Senate, the Cyprus House of Representatives, the Danish Folketinget, the Dutch States-General, the Finnish Eduskunta, the French National Assembly and Senate, the German Bundesrat, the Hellenic Parliament, the Irish Oireachtas, the Lithuanian Seimas, the Luxembourg House of Representatives, the Maltese House of Representatives, the Polish Sejm and Senate, the Portuguese Assembleia da República, the Parliament of Romania, the Slovenian Parliament, the National Council of the Slovak Republic, the Swedish Riksdag, the Spanish Cortes Generales, the UK House of Lords and House of Commons.