

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

### **Contribution adopted by the XXXVII COSAC Berlin, 13-15 May 2007**

#### **1. The Future of Europe**

1.1 COSAC recognizes the effort made by the presidency to gather the governments of all Member States of the European Union and representatives of the European Institutions in Berlin at the fiftieth anniversary of the signing of the Rome Treaties. COSAC notes the significance of the Berlin Declaration and hopes that it will create a lasting positive impetus for European Integration. COSAC calls on national parliaments to contribute towards awareness of this document.

1.2 COSAC welcomes the endeavours of the German presidency to put the issue of the Constitutional Treaty on the European agenda again. The debate on this issue will enter a decisive phase with the report by the German presidency to the June European Council. COSAC appreciates the firm stance taken by the presidency in favour of reaching an institutional settlement before the European elections in 2009.

1.3 COSAC supports the idea of convening a conference of representatives of the governments of the Member States in the second half of the year with a clear mandate and timetable in order to reach a solution which, possibly with a different presentation, strongly respects the substance and objectives of the Treaty establishing a Constitution for Europe. Such a solution should take account of and give an answer to the concerns which have been expressed in some Member States and enhance democracy, transparency and the efficiency of decision making and the protection of rights of the citizens. It should furthermore address the challenges connected with climate change and energy security. COSAC expects that national parliaments and the European Parliament will be kept fully involved and that their views will be duly taken into account. COSAC insists that any institutional settlement must take into account the important role national parliaments play in the European integration and the process of European policy formulation. Their future role must be at least equal in strength to that foreseen in the Constitutional Treaty. The Protocol on the role of national parliaments in the European Union and the Protocol on the application of the principles of subsidiarity and proportionality as annexed to the Constitutional Treaty must be maintained and better and more effectively implemented, as must the new system by which the Commission transmits all proposals directly to national parliaments, invites them to react so as to improve the process of policy formulation, and responds in writing to those reactions.

1.4. COSAC notes that the European Parliament is planning and organizing a meeting with representatives of the civil society (Agora) and proposes joint parliamentary meetings between national parliaments and the European Parliament to exchange views and to evaluate the outcome of the European Council and the perspectives for treaty reform during the expected Intergovernmental Conference.

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

2.1 The new mechanism through which the Commission transmits directly all new proposals and consultation papers to national parliaments is welcomed by national parliaments as an added value. With a view to improving this arrangement, COSAC calls for a standardised procedure for the presentation of the Commission's consultation documents. COSAC welcomes the efforts of the Commission to provide national parliaments with reasoned replies to their remarks and to further explain its proposals. COSAC calls on the Commission to respond to statements of national parliaments within two months and to react visibly if a significant number of national parliaments raise concern over a specific proposal on comparable grounds. COSAC would appreciate further clarification of the system under which the Commission intends to handle the statements of national parliaments. Moreover, COSAC stresses the importance of Commission consultation documents being translated into all official languages.

2.2 COSAC calls on the Commission to maintain its efforts to better explain its proposals with regard to the principles of subsidiarity and proportionality in accordance with the guidelines of the Protocol on the application of the principles of subsidiarity and proportionality of the Amsterdam Treaty. Explanations regarding the choice of legal base would equally be welcomed by national parliaments.

2.3 COSAC encourages national parliaments to upload their findings on specific proposals of EU measures on the IPEX website in order to foster an exchange of views between national parliaments. The Commission's replies to statements of national parliaments should also be accessible to other national parliaments. COSAC calls upon the Commission to assess the possibility of uploading its correspondence with national parliaments on the IPEX website.

2.4. COSAC calls on the Council to assess the possibility of uploading on the IPEX website proposals made by Member States within the framework of the second and third pillar, especially any legislative proposal or initiative in relation to the establishment of an area of freedom, security and justice which might have a direct impact on the rights and freedoms of individuals.

## **3. The European Commission Annual Policy Strategy for 2008**

COSAC stresses the importance for national parliaments of being informed at an early stage about the Commission's policy projects. COSAC expects that the Commission's announcement to enter into a critical dialogue with national parliaments on its political priorities will be followed by concrete action, also within the framework of COSAC. COSAC wishes for the positions of national parliaments to be taken into account by the Commission in the formulation of its Legislative and Work Programme for 2008.

## **4. Climate Change and Climate Protection - The Role of the EU**

4.1 Climate Change has become a major public concern in Europe. COSAC supports the need for devising an integrated climate and energy policy of the European Union which should ensure environmental sustainability, encourage EU economic growth and support its competitiveness in the world.

4.2 COSAC underlines the EU's determination to take a leading role in the fight against climate change. It welcomes the agreement reached at the European Spring Council 2007 on the Union's comprehensive policy in the field of climate protection and energy. COSAC endorses the EU's commitment to a 20% cut in greenhouse gas emissions by 2020 and welcomes its willingness to raise this goal to 30% provided other developed countries commit themselves to comparable emission reductions and economically more advanced developing countries contribute adequately according to their responsibilities and respective capabilities. COSAC welcomes EU institutions to take a pro-active stance in the negotiations of an international climate regime that will succeed the Kyoto Protocol.

## **5. The Eastern Dimension – Russia, Eastern Europe, Central Asia**

5.1 COSAC stresses the importance of expanding the European area of security, stability and prosperity. COSAC therefore welcomes efforts to devote particular attention to the EU's relations with its neighbours to the East and with Central Asia in order to achieve prosperity and democracy in these regions.

5.2 COSAC encourages the Members States of the European Union to manage the European Neighbourhood Policy in a more coherent and united way making full use of the instruments and experience of the Council of Europe. COSAC underlines the need to strengthen the European Neighbourhood Policy in order to gradually bring the EU's eastern neighbours to a level which is politically and economically comparable with that of the EU.

5.3 COSAC emphasises the importance of stability and security in Ukraine for the entire region and underlines the necessity for a strong and long-term engagement of the EU in co-operation with Ukraine. COSAC calls on all politicians involved in the recent political crisis to undertake all possible endeavours to reach a joint solution.

5.4 COSAC recognizes the need to improve regional cooperation in particular in the Black Sea region with which since the accession of Romania and Bulgaria the EU has common borders. The region offers great potential for economic cooperation and growth.

5.5 COSAC stresses the strategic importance of Central Asia and calls for an EU strategy for Central Asia aimed at bringing stability, peace and prosperity in the whole region around the Caspian Sea.

5.6 Desirous of giving a real impetus to the dialogue between the European Union and Russia, COSAC expresses the hope that all obstacles to negotiations about a Partnership and Cooperation Agreement between European Union and Russia will be removed at the Summit of Samara on 18 May 2007. COSAC has followed events in Moscow, St. Petersburg and Nizhny Novgorod during the last few weeks with deep concern. COSAC however welcomes the fifth Round of Human Rights Consultations between the European Union and the Russian Federation on 3 May, 2007. COSAC calls for a united European policy towards Russia based on solidarity among EU member states in their relations with Russia, whereby a robust defence of human rights and democratic values provides the core basis for the EU – Russia dialogue.

## **Conclusion adopted by the XXXVII COSAC Berlin, 13-15 May 2007**

### **1. Subsidiarity and proportionality checks**

1.1 The subsidiarity and proportionality checks initiated by COSAC have brought added value to the way EU affairs in most national parliaments are treated. COSAC therefore resolves to conduct at least two further subsidiarity and proportionality checks per year.

1.2 The selection mechanism should be similar to the one chosen for the first two subsidiarity and proportionality checks. Accordingly, the selection should be based on the European Commission's Legislative and Work Programme.

COSAC agreed that the selection procedure should work as follows:

- i. National parliaments, which wish to participate, should check the European Commission's annual work programme 2008 after following its presentation in autumn 2007 making use of their own practices.
- ii. National parliaments should inform the COSAC Presidency of the proposals they wish to subject to the subsidiarity and proportionality check if possible in November 2007. They may, however, make additional proposals at any time.
- iii. The Presidential Troika should designate the proposals most frequently mentioned as subject to the check and submit a corresponding suggestion to the national parliaments. If there are no objections raised by a deadline to be defined, 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.

1.3 COSAC calls upon incoming presidencies to consider holding a discussion of subsidiarity and proportionality during one of the coming COSAC meetings, aiming at a better understanding of the two principles on the one hand, and the procedure to be followed between national parliaments and the European Institutions on the other. The effectiveness of future subsidiarity and proportionality checks could be enhanced if conducted on the basis of commonly agreed criteria.

1.4 The Commission has responded to national parliaments with regard to subsidiarity and proportionality. Should a significant number of COSAC delegations raise serious concerns over a specific proposal, COSAC could, on the initiative of the presidency, be called upon to deliberate on further action to be taken.

1.5 In accordance with the recommendation of the 7<sup>th</sup> biannual report of COSAC, the coordinated scrutiny of European legislative proposals should continue. To this end, the following COSAC meetings are requested to approve a list of legislative proposals which are to be subjected to a coordinated subsidiarity and proportionality check.

1.6 COSAC calls upon the national parliaments and the European Parliament to contribute actively to the reduction of bureaucratic burden and overregulation.

## **2. Interparliamentary Cooperation**

2.1 COSAC recalls the commitment in the conclusion of the XXXVI COSAC Helsinki, 20–21 November 2006, para 6, namely to communicate the statements which they have addressed to the Commission to each other as soon as possible. In order to achieve this, parliaments are encouraged to make more intensive use of the interparliamentary information exchange website IPEX.

2.2 COSAC welcomes parliamentary meetings between the European Parliament and national parliaments; it values the efforts of the European Parliament in this regard. However, the number of such meetings should not exceed the current level in order not to affect the core work of national parliaments. Being aware of the discussion going on in the EU Speakers' Conference, COSAC underlines the need for more coordination of joint meetings with other interparliamentary fora and encourages incoming presidencies to hold a debate on the possible structure of interparliamentary cooperation in the future.

## **3. Co-Financing the COSAC Sekretariat**

3.1 COSAC welcomes 13 letters of intent of COSAC parliaments or parliamentary chambers stating the willingness to contribute towards the co-financing of the permanent member of the COSAC sekretariat and the cost of running COSAC's office and website. A further nine COSAC delegations announced during the XXXVII COSAC their readiness to sign and submit similar letters in the near future. COSAC expresses its gratitude towards the European Parliament for its continued willingness to provide the sekretariat with the necessary office space on its premises in Brussels.

3.2 COSAC calls upon the German presidency and the incoming Portuguese presidency to proceed with the collection of these letters with a view to reaching the minimum participation of the national parliaments of fourteen Member States before the XXXVIII COSAC in Lisbon.

## **4. Possible Amendments to COSAC Rules of Procedure**

4.1 COSAC welcomes the endeavours of the German presidency to work towards a draft amendment to COSAC's Rules of Procedure with a view to including provisions on the COSAC sekretariat and its permanent member.

4.2 The conference has taken note of the progress of talks on the political level. The Presidential Troika is encouraged to continue its efforts which should prepare the ground for a final decision during the Portuguese presidency.

4.3 COSAC reiterates its invitation to the parliaments of each Member State to identify and put forward suitable candidates for the post of permanent member of the sekretariat, with a view to taking up the post in January 2008.