

Minutes of the Meeting of the Presidential Troika of COSAC Paris, 6 July 2008

PRESENT AT THE MEETING:

IN THE CHAIR: Mr Pierre LEQUILLER (*Assemblée Nationale*, France)
Mr Hubert HAENEL (*Sénat*, France)

Mr Jan BAUER (*Poslanecká sněmovna*, Czech Republic), Mr Luděk SEFZIG (*Senát*, Czech Republic); Mr Anton KOKALJ (*Državni zbor*, Slovenia), Mr Vincenc OTONIČAR (*Državni svet*, Slovenia); Ms Martine ROURE (European Parliament), Mr Jo LEINEN (European Parliament)

AGENDA

1. Adoption of the agenda of the meeting of the Presidential Troika of COSAC
2. Adoption of the agenda of the meeting of the COSAC Chairpersons
3. Debate and adoption of the agenda of the XL COSAC meeting
4. Adoption of the Outline of the 10th Bi-annual Report
5. Subsidiarity checks: review of the new schedule of the European Commission and selection of a legislative proposal for the second subsidiarity check
6. Ratification process of the Treaty of Lisbon
7. AOB

PROCEEDINGS

1. Adoption of the agenda of the meeting of the Presidential Troika of the COSAC

The meeting was chaired by Mr Pierre LEQUILLER and Mr Hubert HAENEL who welcomed the delegations and presented the agenda of the Meeting of the Presidential Troika of the COSAC. The agenda was unanimously adopted as set out above.

2. Adoption of the agenda of the meeting of the COSAC Chairpersons

Mr LEQUILLER outlined the agenda of the meeting of the COSAC Chairpersons. The draft agenda was unanimously adopted as proposed by the Presidency.

3. Debate and adoption of the agenda of the XL COSAC meeting

Mr LEQUILLER presented the draft agenda of the XL COSAC meeting, to be held in Paris on 3-4 November 2008, and the letters received by the Presidency with proposals for additional topics to be put on the agenda.

Mr Nicos CLEANTHOUS, Chairman of the Committee on European Affairs of the Cypriot House of Representatives, proposed a discussion on the latest developments in Turkey. The Presidential Troika of COSAC (hereinafter - the Troika) agreed that it is premature to discuss

the political situation in Turkey as the Turkish Constitutional Court has not yet ruled on the matter of concern and it is not for the COSAC to discuss domestic affairs of any state, in particular if it is not a Member State of the EU.

On behalf of the Benelux delegation to the COSAC Mr René VAN DER LINDEN, Chairman of the standing committee on European Cooperation Organisation of the Senate of the States General of the Netherlands, proposed a discussion on an improvement of the management and control system of the EU budget expenditure as a follow-up on the discussion during the Luxembourg COSAC meeting in 2005.

Chairman LEQUILLER suggested that this topic should rather be raised once the Treaty of Lisbon is ratified, since the Treaty contains new provisions with considerable impact on the future EU budgetary control.

The Troika agreed not to put the proposal on the agenda of the XL COSAC meeting.

Chairwoman of the European Affairs Committee of the Greek Parliament, Ms Elsa PAPADEMETRIOU, proposed to extend the agenda of the next COSAC meeting with a debate on EU immigration and asylum policy. However, due to the fact that the XL COSAC meeting will take place after the October European Council meeting and after the Joint parliamentary meeting on migration and asylum, organized by the French Presidency and the European Parliament in September 2008, the Troika agreed not to extend the agenda of the XL COSAC meeting with the proposed topic.

The Troika unanimously adopted the draft agenda of the XL COSAC meeting as proposed by the French Presidency.

4. Adoption of the Outline of the 10th Bi-annual Report

Mr Pierre LEQUILLER outlined the 10th Bi-annual Report, which will be prepared by the COSAC Secretariat. The Troika adopted the outline.

Ms Martine ROURE asked for a clarification of the role of the COSAC Secretariat in the working group established on the basis of the Conclusions of the XXXIX COSAC meeting and asked why the European Parliament was not associated in the proceedings of this working group.

It was agreed that the representatives of the national parliaments to the EU have to meet first to discuss their opinions and views regarding the cooperation of the national parliaments regarding the Protocol 2 of the Treaty of Lisbon and after that there will be a separate meeting of the working group with the European Parliament.

5. Subsidiarity checks: review of the new schedule of the European Commission and selection of a legislative proposal for the second subsidiarity check

At the Meeting of the COSAC Chairpersons in Ljubljana it was agreed to carry out subsidiarity checks on two proposals. One of them - the *Proposal for a Council Directive implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation* - was adopted on 2 July 2008.

Since the second *Proposal for a Regulation of the European Parliament and of the Council on the applicable law, jurisdiction, recognition of decisions and administrative measures in the area of successions and wills* will not be adopted until 2009, the Troika discussed which proposal should be chosen instead.

Mr Matyás EÖRSI, Chairman of the Committee on European Affairs of the Hungarian National Assembly, sent a letter to the Presidency in which he proposed to carry out a subsidiarity check on the *Proposal for Regulation of the European Parliament and of the Council on establishing the European Electronic Communication Market Authority (COM (2007) 699; 2007/0249/COD)*. The Troika did not support the proposal due to the fact that the eight-week period for submitting reasoned opinions by national parliaments has already elapsed.

The Presidency proposed to conduct a subsidiarity check on the *Directive of the European Parliament and of the Council on standards of quality and safety for the donations, procurement, testing, preservation, transport and characterisation of human organs*.

The Czech delegation proposed to conduct a subsidiarity check on the *Proposal for a Directive amending Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breast-feeding (2008/EMPL/025)* or *Review of the Energy Taxation Directive (2008/TAXUD/003)*. The Slovenian delegation supported the Czech proposal, but pointed out that the XXXIX COSAC meeting agreed to conduct only two subsidiarity checks in 2008.

After deliberation, it was decided that the second subsidiarity check of 2008 will be carried out on *Directive of the European Parliament and of the Council on standards of quality and safety for the donations, procurement, testing, preservation, transport and characterisation of human organs*. The Troika also decided that the *Proposal for a Regulation of the European Parliament and of the Council on the applicable law, jurisdiction, recognition of decisions and administrative measures in the area of successions and wills* be conducted after its official publication in 2009.

Mr LEQUILLER informed the Troika that many national parliaments are using the IPEX website to post their opinions on proposed EU documents. He suggested encouraging national parliaments to arrange a translation of the summaries of the opinions in their parliaments into English or/and French and publish them on the IPEX website.

6. Ratification process of the Treaty of Lisbon

Members of the Troika agreed that this subject has to be discussed by COSAC. The "no" lobby has been very well organized and national parliaments as well as the European

Parliament and other EU Institution have to put a lot of effort into a true political debate and into communicating with the citizens.

7. AOB

The Presidency received a request from Mr Boris TARASIUK, the Chairman of the Committee on European Integration of the Ukrainian Parliament, for a Ukrainian delegation to be invited to the XL COSAC meeting. Following the practice, that the parliaments other than the ones of the EU Member States, the European Parliament and the candidate countries are invited only if there is a relevant point on the agenda that directly concerns them, the Troika agreed not to extend an invitation to the delegation of the Ukrainian Parliament to the XL COSAC meeting.