

MINUTES OF THE COSAC CHAIRPERSONS' MEETING
Stockholm, 6 July 2009

AGENDA:

- 1. Opening session** by Ms Anna KINBERG BATRA, Chairperson of the Committee on European Union Affairs of the Swedish *Riksdag*
- 2. Adoption of the agenda**
- 3. COSAC procedural questions and miscellaneous matters**
- 4. Priorities and challenges of the Swedish EU Presidency**, Guest Speaker: Ms Cecilia MALMSTRÖM, Minister for European Union Affairs of Sweden
- 5. A greater voice to parliaments - 5 years' progress in European co-operation**, Guest Speaker: Ms Margot WALLSTRÖM, Vice President of the European Commission.

PROCEEDINGS:

IN THE CHAIR: Ms Anna KINBERG BATRA, Chairperson of the Committee on European Union Affairs of the Swedish *Riksdag*

1. Opening session

Ms Anna KINBERG BATRA, Chairperson of the Committee on European Union Affairs of the *Riksdag*, welcomed all participants and declared the meeting opened.

Ms KINBERG BATRA mentioned that since the last meeting of COSAC, two chairpersons had been elected Members of the European Parliament: Ms Anne DELVAUX, Chairperson of the Committee on European Affairs of the Belgian *Sénat*, and Mr Andrzej GRZYB, Chairman of the Committee on European Affairs of the Polish *Sejm*. In congratulating them for having won their new posts, she thanked them for their work in COSAC, and wished them luck in their future tasks in the European Parliament.

Ms KINBERG BATRA pointed out that the Swedish Presidency of the EU would cover a period in time when the Council, the newly elected European Parliament and the outgoing as well as the next Commission would have to confront a number of uncertainties and challenges. The Government had therefore chosen "Taking on the Challenge" as its motto for the Swedish Presidency. The working programme for the Presidency had been published recently, on 23 June 2009.

She pointed out that this programme and the priorities of the Government enjoyed broad support in the Swedish Parliament, and indeed that the Minister for European Union Affairs had had monthly consultations with representatives of the Parliament on the Programme and other issues related to the Presidency.

2. Adoption of the agenda

Ms Anna KINBERG BATRA presented the draft agenda of the COSAC Chairpersons' meeting, as approved by the Troika meeting the previous day. The proposed agenda was adopted.

3. COSAC procedural questions and miscellaneous matters

Ms Anna KINBERG BATRA then went on to present the draft agenda of the XLII COSAC meeting, to be held in Stockholm on 4-6 October 2009. She mentioned that, after having consulted the Troika, the Presidency would invite the Icelandic and Norwegian parliaments as special guests to the meeting, since several points on the draft agenda of the meeting concerned their countries as well. With regard to the letter from Mr Česlovas Vytautas STANKEVIČIUS, Chairman of the Committee on European Affairs of the Lithuanian *Seimas*, she said that just a few days ago, the Chairman of the Committee on Foreign Affairs of the *Riksdag* had sent out an invitation to a special meeting on 21 October in Stockholm that would discuss the proposal of an EU-Neighbourhood East Parliamentary Assembly. That issue would therefore not need to be a separate point on the agenda of the XLII COSAC meeting.

She also said that there would be a readiness to discuss issues related to the Lisbon Treaty, if needed. The COSAC meeting would be held at a time when there might be some new developments related to the ratification procedure. Having said that, she invited the Irish and German delegations to inform the Chairpersons' meeting about the recent developments in this regard in their respective countries.

Mr Bernard DURKAN, Chairman of the Joint Committee on European Affairs of the Irish *Houses of the Oireachtas*, said that following the agreements made at the June meeting of the European Council, the conditions for another referendum in Ireland were fulfilled. The date had not yet been announced, but in all likelihood it would be held in early October 2009. Mr DURKAN said that judging from the discussions during the spring and after the European Council, he believed that the referendum was winnable. If, on the other hand, the result would be another "no", which could not be excluded, he saw a major problem for Ireland in the EU, but also for the EU as a whole.

Concerning the decision of the German Constitutional Court, Mr Kurt BODEWIG, Deputy Chairman of the Committee on European Union Affairs of the *Bundestag*, stressed that the Court had stated clearly that the Lisbon Treaty is compatible with the German Constitution. However, the Court had also stated that before the Treaty could be ratified by Germany, the *Bundestag* and *Bundesrat* must be given, by law, sufficient rights to participate in decisions, in particular decisions concerning changes of the Treaties. The German Parliament would work during summer to be able to adopt such a law. The final decisions were planned to be taken by the *Bundestag* on 8 September and by the *Bundesrat* on 18 September 2009.

Following this information, the draft agenda of the XLII COSAC meeting was adopted. Ms Anna KINBERG BATRA went on to introduce the outline of the 12th Bi-annual Report and the update on subsidiarity checks for 2009. Concerning the draft outline, she pointed out that the Presidency wanted the report to be focused on two main issues, and also to limit the size of the report. She said that the matter of Parliaments' access to Council documents, which

had been raised in a letter from Mr. Svend AUKEN, Chairman of the Committee on European Affairs of the Danish *Folketing*, would be taken into account by adapting the questionnaire which would form the basis of the Report. As for the subsidiarity checks, COSAC had earlier decided to carry out checks on two proposals to be presented by the Commission. One of those proposals, 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*, was planned to be adopted in mid-October, and would therefore clearly have to be debated during the following Presidency. The other one, concerning a *Framework Decision on procedural rights in criminal proceedings*, was to be adopted by the Commission on 8 July 2009. The question, also discussed by the Troika the previous day, was whether to stick to the eight-week deadline or, given that the month of August would be part of that period, to consider a deadline of eight plus four weeks. In the latter case, however, it would not be possible to discuss the results of the subsidiarity check at the COSAC meeting during the Swedish Presidency. She preferred an eight-week deadline, if possible, but would like to hear the opinion of other delegations.

During the ensuing debate a few suggestions for additional items to be discussed by COSAC were put forward. One was the low turn-out in the European elections, which could be considered to be a democratic lacuna. COSAC should discuss how parliaments could cooperate to remedy this problem, or perhaps a JPM should be devoted to this. In relation to the draft out-line of the Bi-annual Report, it was suggested that the issue of auditing the implementation in the member states of the EU budget could be dealt with, since this was also a matter of transparency. A number of speakers expressed themselves in favour of the eight-week deadline for the subsidiarity check of the Proposal on Procedural Rights.

Following this round of debate, the outline of the Bi-annual Report was adopted. Ms KINBERG BATRA said that there seemed to be a sufficient number of parliaments that would be able to carry on the subsidiarity check within an eight-week period. The Secretariat should seek to take into account any answers coming in after the deadline, so that as complete information as possible would be available at the COSAC meeting on 4-6 October. The eight-week deadline was agreed.

During the debate some speakers had expressed their support for the proposal, presented by the Swedish Presidency, concerning "co-financing of the permanent member of the COSAC Secretariat and the costs of running the office and website of COSAC and the appointment of the permanent member". Ms KINBERG BATRA mentioned that the COSAC Chairpersons' meeting in Prague 9-10 February 2009 had identified the need to find an agreement during the Swedish Presidency on how to continue the co-financing scheme, and presented the different elements of the proposal of the Presidency, which had also been supported by the Troika at its meeting the previous day. After a few more interventions, expressing support for the proposal, it was adopted.

Mr Miguel ARIAS CAÑETE, Chairman of the Joint Committee on European Affairs of the Spanish Parliament, announced that during the Spanish Presidency the COSAC Chairpersons' Meeting will be held on 4-5 February and the XLIII COSAC Meeting on 30 May - 1 June 2010.

4. Priorities and challenges of the Swedish EU Presidency

Guest Speaker: Ms Cecilia MALMSTRÖM, Minister for European Union Affairs of Sweden

Ms Cecilia MALMSTRÖM opened the debate by presenting the priorities of the Swedish Presidency. She stated that the Swedish Government is prepared to take on the challenges of the Presidency. She mentioned such major challenges as the economic and financial crisis, including growing unemployment, and the climate change. In her opinion, the EU must emerge from the economic crisis in a stronger position. The Presidency will take all necessary steps to mitigate the consequences of the current economic and financial situation, being aware that the unemployment rate is expected to rise. The minister also pointed out that the current economic crisis presents a danger for the Internal Market, which was in her opinion not always brought up in the debates. Next, she mentioned the climate change, which she thought is very much related to the economic situation. Both challenges are important and unavoidable. At the same time they open opportunities for the European Union to strengthen its competitiveness and increase its contribution to a better environment. The minister also underlined the importance of cooperating with other countries in the world to succeed in adopting a new climate agreement in Copenhagen in December 2009.

Ms MALMSTRÖM also mentioned security, the Stockholm Programme, the Baltic Sea Strategy, the Eastern Partnership and the enlargement as important issues to be dealt with during the Swedish Presidency. She underlined that the Baltic Sea Strategy was not meant to be institutionalized; it was more of a method to reinforce cooperation in specific programs. She also welcomed the increased role of national parliaments in the Treaty of Lisbon. The minister concluded her speech by mentioning the increasing support towards the EU in Sweden. She thought that such tendency related to the understanding of the Swedish people that common problems, as the climate change, must have common solutions.

The speech was followed by a lively debate. Members asked questions related to the financial and economic crisis, for instance the parliamentary responsibility as regard the crises, more joint projects between new and old Member States, and the importance of a supervisory body for the financial markets. Ms Cecilia MALMSTRÖM answered that national parliaments could, and should, have a greater role in EU matters, including finding solutions for the financial crisis. It was very important that a European mechanism for the financial markets will come into place during the autumn.

Some Members spoke about the Baltic Sea Strategy, asking to amplify the strategy as a “method”, supporting the strategy for this very dynamic region, and highlighting a need for a more extensive dialog with Russia. Ms Cecilia MALMSTRÖM responded that she hoped that the Baltic Sea Strategy will be a tool to improve regional cooperation and that its added value will be to link EU initiatives, policy instruments and resources.

Concerning the climate change, a number of Members stated the value of cooperation with important countries outside the EU and of speaking in one voice, especially concerning the negotiations on the new agreement for climate change. Some Members also mentioned the energy security and energy efficiency. The minister answered that in her opinion efficiency goes hand in hand with security and therefore she sees the efficiency of energy supply as a very important part of energy policy.

A number of Members mentioned the Stockholm Programme, in particular, immigration, and human trafficking, and the current and the incoming Lisbon Strategy. The minister referred to a number of seminars on the Lisbon Strategy during the next six months, and stated that in her opinion the Lisbon Strategy improved after the mid-term review in 2005, but not enough. She thought that there still was a lack of ownership concerning the Strategy. The future negotiations will show what the Member States expect from the new Strategy. The minister concluded by saying that personally she thought that the future Lisbon Strategy should be more focused on fewer important aspects.

5. A greater voice to parliaments - 5 years' progress in European co-operation

Guest Speaker: Ms Margot WALLSTRÖM, Vice President of the European Commission in charge of Institutional Relations and Communication Strategy

Ms Margot WALLSTRÖM began her speech by recalling her first address to the COSAC Chairpersons on 9 February 2005 in Luxembourg where she presented the Commission's new policy for relations with national parliaments. This address in Stockholm, according to the Vice President, was therefore "the opportunity to balance the books" and to assess the Commission's long-term goal of connecting with people and their elected representatives. Ms WALLSTRÖM highlighted the remarkable progress achieved in the last five years in relations between the Commission and national parliaments and stressed the importance of harmonizing this progress with such upcoming challenges as economic and financial crisis and fight against climate change.

According to Ms WALLSTRÖM, the current financial and economic crisis constitutes an opportunity not only to reform the financial system, but also to invest in green economy and to develop a sustainable way to stimulate the economy and create new jobs. Ms WALLSTRÖM underlined, *inter alia*, the importance of achieving the ambitious objective of transforming Europe into a highly energy-efficient, low-emission economy through the so-called "20-20-20" targets. To this end, the Swedish Presidency will lead the EU in negotiations for reaching a post-2012 climate agreement in Copenhagen. National parliaments have a significant role to play in achieving these results.

Turning from political substance to form, Ms WALLSTRÖM singled out two facts illustrating the accomplishments that contributed to improvement of the process of the EU policy formulation, as expressed in the Citizens' Agenda in May 2006. First, in less than 3 years national parliaments sent to the Commission almost 400 opinions on its proposals. According to the Vice President, this mechanism, started as a modest experiment, now represents a great advantage for the Commission when drafting the proposals and later negotiating with the Union legislators. Secondly, since May 2006 there had been about 500 meetings between Commissioners and national parliaments. These facts may be construed as demonstrating that national parliaments have "a bit more appetite" for European issues. Now they get more and better information at an early stage and effectively have better possibilities to debate EU matters and scrutinize their governments. Thus, in the recent years, a greater voice to parliaments turned to be a greater voice to Europe's citizens. Ms WALLSTRÖM assured the participants that the dialogue mechanism between the Commission and national parliaments would be maintained, as this remains a firm commitment on the part of the Commission. In addition, if the Treaty of Lisbon comes into force, the Commission would quickly implement the new Treaty provisions, including the yellow and orange card

procedures. Nevertheless, the Vice-President stressed that it was important to further improve information exchange and to promote contacts and openness.

Ms WALLSTRÖM recalled the great responsibility of national parliaments as they meet with citizens, inform them about the European affairs, and effectively anchor the EU matters in their national political debates and in everyday life.

The Vice-President of the Commission finished her speech by recalling that the big challenges could only be tackled by working together and making the EU a "solution united".

In the ensuing debate, the participants expressed their appreciation for the initiatives of the Commission and the personal efforts of Vice President WALLSTRÖM aimed at enhancing the role of national parliaments in the EU. The Commission's political dialogue with national parliaments was assessed as positive, very important and useful. However, attention was drawn to the quality of the replies of the Commission to the opinions of national parliaments which sometimes had not been elaborated in sufficient detail. Moreover, it was appreciated that the dialogue allows national parliaments to present their comments and voice their concerns not only on the compliance of legislative proposals with the principle of subsidiarity, but also on substance of all Commission's initiatives. In this respect, participants expressed a need for developing a new EU parliamentary landscape. Several participants highlighted the problem of low turnout at the European elections last June and called for immediate action aimed at increasing the participation of citizens in the next elections to the European Parliament. It was underlined that such efforts call for collective action by both the EU Institutions and national parliaments.