

Minutes of the Meeting of the Presidential Troika of COSAC

Valletta, Malta, 22 January 2017

PRESENT AT THE MEETING

CHAIRS Mr Luciano BUSUTTIL, Chair of the Foreign and European Affairs Committee, Maltese *Kamra tad-Deputati*

Mr Luboš BLAHA, Chair of the Committee on European Affairs, Slovak *Národná rada*, Mr Jaak MADISON, Vice-Chair of the EU Affairs Committee of the Estonian *Riigikogu*; and Ms Danuta HÜBNER, Chair of the Committee on Constitutional Affairs, European Parliament.

AGENDA

1. Adoption of the agenda of the meeting of the Presidential Troika of COSAC
2. Approval of the draft programme of the meeting of the Chairpersons of COSAC
3. Debate on the draft programme for the LVII COSAC
4. Approval of the outline of the 27th Bi-annual Report of COSAC
5. Letters received by the Presidency
6. Any other business

PROCEEDINGS

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

The Chair, Mr Luciano BUSUTTIL, Chair of the Foreign and European Affairs Committee of the Maltese *Kamra tad-deputati*, welcomed the delegations of the Presidential Troika of COSAC (hereinafter referred to as "the Troika"), especially the Estonian delegation participating for the first time in a Troika meeting.

In the absence of any objection, the agenda of the meeting of the Troika was adopted without amendment.

2. Approval of the draft programme of the meeting of the Chairpersons of COSAC

The Chair presented the draft programme of the meeting of the Chairpersons of COSAC. The first session would focus on the Priorities of the Maltese Presidency of the Council of the European Union, presented by the Deputy Prime Minister for European Affairs and Implementation of the Electoral Manifesto, Mr Louis GRECH, and the Minister for Tourism, Mr Edward ZAMMIT LEWIS. Following a discussion on procedural issues and miscellaneous matters, the second session would see a discussion on the European Commission Work Programme 2017, with Mr Frans TIMMERMANS, First Vice President of the European Commission, as keynote speaker, and Ms Danuta HÜBNER, Chair of the Committee on Constitutional Affairs of the European Parliament, and Mr Bastiaan VAN APELDOORN, Chair of the Committee on European Affairs of the Dutch *Eerste Kamer*, as the two other speakers.

The draft programme of the meeting of the Chairpersons of COSAC was approved without amendment.

3. Debate on the draft programme for the LVII COSAC

The Chair briefly outlined the programme, informing colleagues that the first session would focus on a reflection on Malta's EU Presidency and would seek to analyse the progress and development of the priorities of the Maltese Presidency. The second session would focus on the role of national Parliaments in the EU, with the 27th Bi-annual Report of COSAC to be presented by the Permanent Member of the COSAC Secretariat. The third session would address the outcome of the UK Referendum, while the fourth session would address the topic of an integrated EU maritime policy. The fifth session, on the second day, would be wholly dedicated to migration-combatting human smuggling and trafficking and establishing a humane and effective return and readmission policy.

Ms HÜBNER interjected to appeal for the inclusion of a speaker from the European Parliament on migration; the suggestion was welcomed by the Presidency. Mr BLAHA welcomed the agenda, and Mr MADISON noted that maritime affairs were important also for Estonia.

4. Approval of the outline of the 27th Bi-annual Report of COSAC

The Chair expressed the Presidency's intention to make use of the Bi-annual Report's content as much as possible in the LVII COSAC's discussions. He then briefly presented the outline of the 27th Bi-annual Report of COSAC. The first chapter aimed to obtain an updated overview of the procedures used by national Parliaments to scrutinise their government during the EU legislative process; the second chapter sought to analyse the impact of current challenges on the debate on the future of the EU within national Parliaments; the third chapter focussed on human smuggling and trafficking and on how to establish a humane and effective return and readmission policy. He announced that the questionnaire for the 27th Bi-annual Report would be sent by 14 February 2017 and that the deadline for replies was set for 15 March 2017.

Ms HÜBNER intervened to suggest that the first chapter also look into the transposition of EU law.

The outline of the 27th Bi-annual Report of COSAC was approved.

5. Letters received by the Presidency

The Chair then informed the Troika of the following letters received by the Presidency:

- Letters from Mr Olemic THOMMESSEN, President of the Norwegian *Storting*, from Mr Thomas AESCHI, President of the EFTA/EU Delegation of the Swiss *Assemblée fédérale*, and from Mr Tamar KHULORDAVA, Chair of the Committee on European Integration of the Parliament of Georgia, requested participation during the COSAC meetings. After consultation with the Troika, letters of invitation had been sent.
- A letter sent by Ms Ana BIRCHALL, Minister Delegate for European Affairs of Romania, informing the Presidency that she no longer held the chair of the European Affairs Committee of the Chamber of Deputies, despite still being a member.
- A letter sent by Mr Vannino CHITI, President of the Italian *Senato della Repubblica*, recalling the request previously made to the Slovak Presidency to organise a visit *in loco* to places seriously affected by and struggling to cope with the effects of migration. Mr BUSUTTIL promised that he would speak personally to Mr CHITI regarding this proposal.

6. Any other business

The first item on discussion was the co-financing of the Permanent Member of the COSAC Secretariat. The Chair announced that, as the current agreement would be expiring at the end of 2017, the Maltese *Kamra tad-deputati* would be sending a letter of intent to the European Union Affairs Committees of national Parliaments asking them to confirm their intention on maintaining the current co-financing mechanism for two years starting from 1 January 2018.

The second item referred to the proposals communicated to the Troika members by the European Parliament on the adoption of COSAC Contributions. With regard to the first proposal, i.e. providing clear guidance regarding the adoption of the contribution, the Chair said that the Presidency was in agreement and aimed to circulate a text on this ahead of the meeting. With regard to the European Parliament's second proposal that the Troika compromises should only refer to texts on which there was agreement from all Troika members, the Chair noted that, whereas the Presidency agreed that a Troika compromise should always be sought, it could not agree to a proposal which in effect gave veto power over amendments to any single troika delegation.

Ms HÜBNER here interjected to ask how, then, this would be presented, specifically seeking to know in what form and in which wording (as a "Troika compromise with the exception of a delegation" or as a "Presidency compromise", mentioning the delegation for which it was not possible to achieve consensus), but agreed that there should be no veto power. In reply, the Chair reiterated the willingness to strive for consensus, and suggested to proceed on a case-by-case basis.

With regard to the proposal that any delegation not agreeing with a Troika compromise text should submit the original amendment again within the set deadline, the Chair made it clear that once the Presidency proposed the compromise text, subsequently agreed to by the Troika, then the original text would cease to exist and any amendments submitted the next day till noon would have to be amendments to the Troika compromise text.

Ms HÜBNER enquired about the possibility of tabling amendments to the original version of the text. Mr BLAHA insisted that the authority of the Presidency should be respected in this regard.

The fourth proposal suggested that the Presidency could, if necessary, consider putting to the vote oral amendments providing clearer and more consensual wording, and the Chair clarified that, since the Presidency believed in the importance of consensus, it was inclined to accept oral amendments to amended paragraphs only if this served to reach consensus.

As to whether the Presidency considered that all paragraphs should be formally voted and to what it thought of the concerns expressed by some delegations on the practice of voting only on the points where amendments had been re-tabled, the Chair noted that the Presidency was inclined to allow voting only on paragraphs of the compromise text to which amendments had been moved, and not on paragraphs to which no amendments had been proposed, whereby a simple declaration signalling adoption would be enough and would facilitate the running of the meeting.

Ms HÜBNER referred once more to the voting system, and recalled some discontent expressed by some delegations with how this was implemented in Bratislava, to which Mr BLAHA replied that this was a matter for the Presidency to decide. Ms HÜBNER referred to voting practices in the European Parliament. She and the Chair thought that asking the participants themselves whether an open vote was necessary would perhaps be the best solution.