

MINUTES OF THE MEETING OF THE PRESIDENTIAL TROIKA OF COSAC
Prague, 9 February 2009

PRESENT AT THE MEETING:

IN THE CHAIR: Mr Luděk SEFZIG (*Senát*, Czech Republic).

Mr Petr KRILL (*Poslanecká sněmovna*, Czech Republic), Mr Jan BAUER (*Poslanecká sněmovna*, Czech Republic), Mr Pierre LEQUILLER (*Assemblée nationale*, France), Mr Hubert HAENEL (*Sénat*, France), Ms Anna KINBERG BATRA (*Riksdag*, Sweden), Ms Martine ROURE (European Parliament), Mr Edward MCMILLAN-SCOTT (European Parliament).

AGENDA:

- 1. Opening of the proceedings and adoption of the agenda of the Troika meeting**
- 2. Adoption of the agenda of the COSAC Chairpersons' Meeting**
- 3. Debate and adoption of the agenda for the XLI COSAC Meeting**
 - Invitation of special guests
- 4. Adoption of the Outline of the 11th Bi-annual Report**
- 5. Review of the proposals for subsidiarity check and selection of legislative proposals to conduct a subsidiarity check in 2009**
- 6. Co-financing of the permanent member of the COSAC Secretariat and the costs of running the office and website of COSAC**
- 7. Letters received by the Presidency**
- 8. AOB**

PROCEEDINGS:

1. Opening of the proceedings and adoption of the agenda of the Troika meeting

The meeting was chaired by Mr Luděk SEFZIG, the Chairman of the Committee on EU Affairs of the *Senát* of the Czech Republic, who welcomed the delegations and presented the agenda of the Presidential Troika of COSAC (henceforth “the Troika”). The agenda was unanimously adopted as set out above.

2. Adoption of the agenda of the COSAC Chairpersons' Meeting

Mr SEFZIG outlined the agenda of the Meeting of the COSAC Chairpersons which was distributed to the participants in advance. The draft agenda was unanimously approved as proposed by the Presidency.

3. Debate and adoption of the agenda for the XLI COSAC Meeting

Mr SEFZIG presented the draft agenda of the XLI COSAC meeting, to be held on 10-12 May 2009 in Prague.

- Invitation of special guests

Referring to Article 4.3 of the Rules of Procedure of COSAC and with regard to the proposed topic of "Eastern Dimension of the European Neighbourhood Policy" Mr SEFZIG announced the intention of the Czech Presidency to invite to the XLI COSAC Meeting representatives of the Parliaments of Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine as special guests. They would be invited to participate fully in the discussions on the "Eastern Dimension of the European Neighbourhood Policy" and to attend the other parts of the meeting as observers. Mr SEFZIG also informed the Troika that the Presidency had invited the ambassadors of these countries to attend the Meeting of the COSAC Chairpersons since one item on the agenda of the meeting was "Eastern Partnership".

The Troika approved the draft agenda of the XLI COSAC Meeting and supported the intention of the Presidency to invite the special guests.

4. Adoption of the Outline of the 11th Bi-annual Report

Mr SEFZIG presented the outline of the 11th Bi-annual Report that would be prepared by the COSAC Secretariat. He informed the Troika that the outline of chapter three on Representatives of National Parliaments to the EU gave rise to concerns with some national parliaments, which deem staffing policy as internal. Therefore the Presidency suggested that questions regarding the representatives' appointment procedure, their legal status and entitlements would not be the subject of the report. The Chapter will primarily focus on the role of the representatives and the content of their work.

The Troika adopted the outline taking into account the above-mentioned clarification.

5. Review of the proposals for subsidiarity check and selection of legislative proposals to conduct a subsidiarity check in 2009

At the Meeting of the COSAC Chairpersons in Paris it was agreed to carry out subsidiarity checks on the following two proposals:

- 1) *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 COSAC-coordinated subsidiarity check on this Proposal was completed on 6 February 2009),
- 2) *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 (adoption of this Proposal by the Commission is foreseen on 24 March 2009).

Pursuant to the suggestions of national parliaments, the Troika decided to propose to the Chairpersons to carry out a second subsidiarity check in 2009 on the *Proposal for a Framework Decision on procedural rights in criminal proceedings* (to be adopted by the Commission on 1 July 2009). With regard to the foreseen date of adoption, Mr SEFZIG recalled the informal commitment of the Commission to disregard the 4 weeks of August in counting the 8 weeks deadline for national parliaments to deliver reasoned opinions. The Chairman expressed the wish that the Commission would follow this commitment.

6. Co-financing of the permanent member of the COSAC Secretariat and the costs of running the office and website of COSAC

Mr SEFZIG introduced the topic of the co-financing of the permanent member of the COSAC Secretariat and the costs of running the office and website of COSAC. He reminded the Troika that the commitments of many national parliaments would expire at the end of 2009 and that the issue of continued co-financing from 1 January 2010 needed to be solved during the Swedish Presidency. Then he passed the word to Ms Loreta RAULINAITYTE, permanent member of the COSAC Secretariat, who described the alternative future solutions.

One possible solution would be to invite national parliaments to send to the COSAC Presidency new letters of intent, specifying a new commitment period or leaving it open. Another solution would be to sign an agreement provided for in the COSAC Rules of Procedure. A third solution could involve participating parliaments transferring to the national parliament seconding its official to the post of the permanent member of the COSAC Secretariat their yearly contributions before the start of the year with any unused amounts being carried over to the next year (as the arrangement for the co-financing of the IPEX information officer).

The Troika decided to present this issue to the Meeting of the COSAC Chairpersons and to suggest that the decision on this matter be taken during the Swedish Presidency.

7. Letters received by the Presidency

Mr SEFZIG presented the letters received by the Presidency with proposals for additional topics to be put on the agenda of the XLI COSAC Meeting.

In his letter Mr Svend AUKEN, the Chairman of the Committee on European Affairs of the Danish *Folketing*, proposed a discussion on combating and preventing trafficking in human beings. The Czech Presidency recognized the importance of this issue and suggested including it under the point of the agenda of the XLI COSAC Meeting on "Role of the EU in Defending Human Rights in the World".

Ms Anna KINBERG BATRA, the Chairwoman of the EU Committee of the Swedish *Riksdag*, supported the Danish proposal and suggested that this topic could be discussed with the Czech Prime Minister Mirek TOPOLÁNEK during the XLI COSAC Meeting.

In her letter Ms Elsa PAPADEMETRIOU, the Chairwoman of the European Affairs Committee of the Hellenic Parliament, proposed to add to the agenda of the forthcoming COSAC meeting a debate on climate change. The Czech Presidency fully agreed that this topic was very important but, since other parliamentary meetings were dedicated to this subject, did not find it necessary to have it as a separate item on the agenda of the XLI COSAC Meeting. Mr SEFZIG recalled the parliamentary Meeting of Committee Chairpersons on "Secure and sustainable energy for Europe" that took place in the *Senát* of the Czech Republic on 26 January 2009.

On behalf of the BENELUX delegations, Mr René VAN DER LINDEN, the Chairman of the Committee on European Cooperation Organisations of the Dutch *Eerste Kaamer*, proposed a discussion on the improvement of the management and control systems of the EU budget expenditure as a follow-up of the discussion during the XXXIII COSAC Meeting in Luxembourg in 2005. The Czech Presidency referred to the decision of the Troika under the French Presidency on the same proposal and suggested that this topic be raised once the Treaty of Lisbon was ratified, since the Treaty contains new provisions with considerable impact on the future EU budgetary control.

The Troika unanimously adopted the proposals and conclusions of the Presidency.

8. AOB

No other business.