

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

**Contribution adopted by the XXXIX COSAC
Brdo pri Kranju, 7- 8 May 2008**

1. The Role of the Parliaments after the Treaty of Lisbon

1.1. COSAC welcomes the signing of the Treaty of Lisbon and its ratification by thirteen Member States¹ and calls on the parliaments and on the citizens of the other Member States to endorse the Treaty.

1.2. COSAC welcomes the strengthened role of national parliaments as laid down in the Treaty of Lisbon, which enables their better involvement in the EU decision-making process. COSAC notes that it is up to national parliaments to develop mechanisms to make use of their extended rights.

1.3. Noting the 50th anniversary of the European Parliament, COSAC expresses respect for its work aimed at direct involvement of Europe's citizens in the EU decision-making process. Furthermore, COSAC believes that the provisions of the Treaty of Lisbon enhancing the role of the European Parliament as a co-legislator will contribute to a greater legitimacy of decisions taken at the EU level.

1.4. COSAC considers that if the new rights of the national parliaments as envisaged in the Treaty of Lisbon are to be exerted, COSAC itself, as well as IPEX and the permanent representatives of national parliaments to the European Union, can play an important role in the dialogue between national parliaments. This also requires the full cooperation of the institutions of the European Union.

1.5. COSAC encourages national parliaments and the European Parliament to introduce and promote their communication strategies in order to inform the citizens of the provisions of the Treaty of Lisbon.

2. Cooperation with the Institutions of the European Union

2.1. The mechanism through which the Commission directly transmits all new proposals and consultation papers to national parliaments is considered to be positive. Furthermore, it has contributed to the monitoring of EU affairs by national parliaments.

¹ As of 8 May 2008.

2.2. COSAC acknowledges the efforts of the Commission to respond to the reactions submitted by national parliaments. However, COSAC encourages the Commission - in line with the XXXVII COSAC in Berlin and the XXXVIII COSAC in Estoril - to provide the national parliaments with an assessment of the measures it currently has in place, or plans to put in place, to take these reactions into account in further formulation of policy and of its annual Legislative and Work Programme.

2.3. COSAC invites the Commission:

- a) to provide national parliaments directly with information on the content and the exact date of publication of new proposals and consultation papers which it will publish;
- b) to provide its responses to the reactions submitted by national parliaments not only to those national parliaments which sent the reactions, the European Parliament and the Council, but also to all other national parliaments;
- c) to provide national parliaments directly with a weekly list of all new documents it publishes.

2.4. In the light of the provisions of the Treaty of Lisbon, COSAC also encourages the Commission, the Council and the European Parliament to create a mechanism to inform national parliaments when the final translation of a legislative proposal is transmitted to the relevant national parliament; and to indicate the date when the eight week period to submit a reaction to the proposal expires. COSAC stresses that it would be helpful if the Commission would additionally transmit through a separate channel proposals to which the early warning mechanism is applicable.

2.5. COSAC believes that the dialogue between the Commission and the national parliaments regarding individual proposals should continue after the entry into force of the Lisbon Treaty, as exchange of views on substance between the national parliaments and the Commission brings significant added value to the transparency and democratic legitimacy of the EU legislative process.

3. The Lisbon Strategy and National Parliaments

3.1. COSAC welcomes the Conclusions of the European Council on 13 and 14 March 2008 in Brussels. It considers that the new three year cycle of the Strategy for Growth and Jobs, and the time-frame and principles adopted for the energy and climate change package, are of great importance for the economic and social life of Europe's citizens.

3.2. COSAC takes note that the European Council invited the Commission and the Member States to strengthen the involvement of relevant stakeholders in the Lisbon Strategy. In this respect, COSAC encourages national parliaments to play a more active role in the implementation of the renewed Lisbon Strategy.

3.3. COSAC believes that the innovation and creativity as well as gender equality and equal opportunities of Europe's citizens are key factors for future growth. In order to fulfil the ambitions of the European Union in this area COSAC encourages the Member States to invest more and more effectively in innovation and research in pursuit of the 3-% R&D investment target. Taking note of the invitation from the European Council to the Member States, COSAC calls on all national parliaments to monitor how progress towards national R&D investment targets is achieved through the National Reform Programmes.

3.4. COSAC underlines the opportunities that the free movement of knowledge, known as the fifth freedom, could provide for achieving the objectives of the renewed Lisbon Strategy.

3.5. COSAC reminds the institutions of the European Union of the importance of the service sector, where majority of new jobs are created today. Free movement of services is of great importance to achieve this while recognising there are differences in Member States' national labour market models.

4. The Area of Freedom, Security and Justice

4.1. COSAC welcomes the accession of nine Member States to the Schengen Area and expects that Bulgaria and Romania will also join the Schengen Area in due time according to the agreed schedule assumed by the two countries. The enlargement of the Schengen Area is a great achievement in support of the free movement of persons, one of the four fundamental freedoms of the European Union.

4.2. At the same time, COSAC stresses that the development and introduction of the second generation of the Schengen Information System (SIS II) remains a priority and is to be established in a timely fashion and according to the agreed deadline of September 2009.

4.3. COSAC attaches a high degree of importance to the cooperation between the European Union and the Western Balkans States in the field of home affairs, since this is one of the most prominent areas of their cooperation. This cooperation leads to better security in the region of the Western Balkans States and consequently in the European Union as a whole.

4.4. COSAC believes that current joint activities of the European Union and the Western Balkans States in the field of home affairs, and primarily in the fight against organised crime and corruption, will build cooperation among law enforcement forces in the region of the Western Balkans and aid the transposition of EU security standards to the area. They will provide the Western Balkans States with the means and examples of best practice which are necessary to increase their commitment to developing and operating their own such mechanisms.

4.5. COSAC welcomes the European Commission's opening of a dialogue with the Western Balkans States for the liberalisation of visa policy and calls on the EU institutions, the Member States and the Western Balkans States for further steps to be taken by all those involved in the field.

5. The European Perspective of the Western Balkans States

5.1. COSAC sees the future of all Western Balkans States in the European Union. In this respect, it welcomes each country's own efforts to meet the criteria that have been set out.

5.2. Each applicant country has to fulfil all criteria to achieve membership of the EU and COSAC believes that the vision of reunifying Europe cannot be implemented without the integration of the Western Balkans, so the EU has to continue its efforts to support the Western Balkans States by helping them to meet the membership criteria.

**Conclusions adopted by the XXXIX COSAC
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1. Subsidiarity and proportionality checks

1.1. Conducting the subsidiarity and proportionality checks within COSAC has brought - as stated at the XXXVII COSAC in Berlin - an added value to the way EU affairs are dealt within most national parliaments; as a result COSAC resolves to conduct further such checks in this calendar year.

1.2. COSAC welcomes the results of the latest subsidiarity check on the Proposal for a Council Framework Decision amending Framework Decision 2002/475/JHA on combating terrorism which was successfully conducted by 24 parliamentary chambers from 19 Member States in accordance with the proposed Protocol on the Application of the Principles of Subsidiarity and Proportionality enclosed in the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community. At the COSAC Chairpersons' Meeting held in Ljubljana on 18 February 2008 the report on the results was discussed.

1.3. At the COSAC Chairpersons' Meeting held in Ljubljana a decision was taken to conduct subsidiarity checks on the Proposal for a Regulation of the European Parliament and Council on the applicable law, jurisdiction, recognition of decisions and administrative measures in the area of successions and wills (2008/JLS/122), and on the Proposal of the Directive implementing the principle of equal treatment outside employment (2008/EMPL/017). Recalling this decision, COSAC takes note that the latter is expected to be published in June. Should this be the case, the subsidiarity check will start under the Slovenian Presidency. The COSAC Secretariat will be asked to prepare all necessary arrangements for this check which will be conducted by national parliaments within a period of eight weeks after the draft legislative act has been made available in all official languages of the European Union. The results of this subsidiarity check will be discussed under the French Presidency.

1.4. COSAC notes that national parliaments should continue conducting the foreseen subsidiarity checks as they are an important early warning mechanism. At the same time, it calls on national parliaments to continue forwarding information and participating actively in the information exchange.

1.5. COSAC invites the COSAC Secretariat to organise a dialogue with the IPEX Board with a view to facilitate timely and effective exchange of information concerning the subsidiarity mechanism as envisaged in the Treaty of Lisbon.

1.6. COSAC calls on the incoming French Presidency to make a check list of the national parliaments' ideas, that could lead to better cooperation in the application of Protocol 2 on the principles of subsidiarity and proportionality. COSAC calls on the French Presidency to invite a working group of the national parliaments' representatives to the EU, the discussions of which will form the basis of a report on how these

opportunities can best be implemented by national parliaments, and on whether any collective arrangements may be needed, while respecting each national parliament's right to determine its own working practices. The report will be written by the COSAC Secretariat and will form the basis of a discussion at the XL COSAC Meeting under the French Presidency.

2. Appointment and Co-Financing of the Permanent Member of the COSAC Secretariat

2.1. COSAC welcomes the decision of the Chairpersons at its Meeting in Ljubljana on 18 February 2008 to appoint Ms Loreta Raulinaitytė, Permanent Representative of the Seimas of the Republic of Lithuania to the European Union, to the post of the permanent member of the COSAC Secretariat for the period of two years.

2.2. COSAC welcomes the 26 letters of intent from COSAC parliaments expressing their commitment to participate in the co-financing of the post of the permanent member of the COSAC Secretariat and the costs of running COSAC's office and website.

2.3. Moreover, COSAC expresses its gratitude towards the European Parliament for providing the COSAC secretariat with suitable office facilities within its premises in Brussels.

3. The 9th Bi-annual Report

COSAC welcomes the 9th Bi-annual Report prepared by the COSAC Secretariat which has again been helpful in giving an overview of developments in the European Union procedures and practices that are relevant to parliamentary scrutiny. COSAC believes that the report is also an important source of information on the practical work of national parliaments.