

MINUTES OF THE XXXIX COSAC
Brdo pri Kranju, 7 - 8 May 2008

Agenda

1. Opening Session of the XXXIX COSAC and adoption of the agenda of the XXXIX COSAC

Mr Anton Kokalj, Chairman of the Committee on EU Affairs of the National Assembly of the Republic of Slovenia, and Mr Vincenc Otoničar, Chairman of the International Relations and European Affairs Commission of the National Council of the Republic of Slovenia

2. Presentation of the 9th Bi-annual Report

3. The Slovenian Presidency and the Future of Europe

Guest Speaker: Mr Janez Janša, Prime Minister

4. Cooperation between the European Union and the Western Balkan Countries in the Field of Home Affairs

Guest Speaker: Mr Dragutin Mate, Minister of the Interior

5. Achieving Goals of the Lisbon Strategy

Guest Speaker: Mr Janez Potočnik, Commissioner for Science and Research

6. Adoption of the Contribution and Conclusions of the XXXIX COSAC

1. Opening Session of the XXXIX. COSAC and Adoption of the agenda of the XXXIX COSAC

Mr Anton Kokalj and Mr Vincenc Otoničar welcomed all the participants and opened the XXXI COSAC meeting. Mr Kokalj outlined the agenda, presented the proposed amend amendments to the agenda of the XXXIX COSAC and Troika's decisions regarding them.

Mr. Kokalj also informed the Conference about the decision of the Chairpersons Meeting which took place on 18 February 2008 in Ljubljana, 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.

The Dutch delegation and other participants agreed with the Troika's proposal to discuss the future of the interparliamentary cooperation in the light of the Treaty of Lisbon in the frame of the presentation of the 9th Bi-annual Report.

COSAC welcomed the efforts made by the Hungarian Parliament regarding the scrutiny of 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). Mr Eörsi encouraged other national parliaments to scrutinize the Proposal and called upon the French Presidency to include this Proposal onto the agenda of the next COSAC.

Mr Kokalj informed the participants of the letter sent by the President of the Committee of the Regions to the Presidency and the decision of the Troika to accept invitation to the Committee of the Regions Bureau meeting due to take place on 17 June 2008 in Brussels, if such invitation is

received, but not to formalise cooperation between COSAC and the Committee of the Regions. COSAC supported the Troika's decision.

The draft agenda of the XXXIX COSAC was adopted by consensus.

2. Ninth Bi-annual Report

The chairman welcomed the 9th Bi-annual Report, divided into the following chapters:

- Involvement of national parliaments in the ratification process of the Treaty of Lisbon,
- The Treaty of Lisbon - implementation and its consequences for the national parliaments of the EU,
- The Lisbon Strategy,
- Enlargement of the Schengen Area,
- Involvement of the parliaments of the EU in negotiations on accession to the EU.

During the general debate the Dutch delegation presented a non-paper on the modalities for the implementation of Protocol 2 of the Treaty of Lisbon. The non-paper sought to identify possible modalities for the application of the yellow and orange card in the context of the Protocol on the application of the principles of subsidiarity and proportionality.

Most delegations welcomed the initiation of the debate on the future role of national parliaments in the control of the principle of subsidiarity in the EU. However, a significant number of delegations were of the opinion that the national parliaments should focus not only on monitoring the compliance with the principle of subsidiarity, but also react to new proposals and consultation papers of the European Commission, thus improving the process of policy formulation in the EU. Many delegations called for preservation of the present format of COSAC meetings; the frequency of the meetings should not be increased and COSAC should not be divided into sub-formations.

Some delegations called for establishment of a working group of the national parliaments' representatives to the EU that would identify modalities of better cooperation in the application of Protocol 2 on the application of the principles of subsidiarity and proportionality, annexed to the Treaty of Lisbon. It was stressed that each national parliament's own working practices should be respected.

As regards the ratification process some delegations presented the state of play in their respective Member States recalling the importance of the completion of the ratification process as soon as possible.

3. The Slovenian Presidency and the Future of Europe. - Guest Speaker: Mr Janez Janša, President of the Council of the European Union, Prime Minister of the Republic of Slovenia

Mr Janez Janša¹ started by remarking that COSAC meetings were a good example of the interparliamentary and interinstitutional dialogues within the EU, which was perfectly in line with the idea of the "synergy for Europe" that the Slovenian Presidency had presented.

The Prime Minister then stressed the way in which parliamentary democracy at the EU level would be strengthened with the Treaty of Lisbon, since it gives "additional decision making levers to the representatives elected directly by the citizens of Europe". Moreover, and as far as national parliaments were concerned, Mr Janša added that the extent to which their role could be played depended largely on themselves.

Referring to the main achievements of the Slovenian Presidency of the Council of the EU, four main ideas were stressed.

First of all, a new three-year cycle of the Lisbon Strategy was launched, that would afford a better balance between the competitiveness of the economy and concerns for people and the environment. Three examples of major developments in this field were given:

- the introduction of the so-called "fifth freedom", with the Ljubljana Process that was launched in April 2008, that envisaged the removal of all barriers to the free movement of knowledge and the conversion of innovations into market products;
- the agreement reached on measures to facilitate the operation and development of small and medium-sized enterprises, namely the legislative package on the marketing of products and the confirmation of the Eurostar Programme;
- the encouragement of gradual implementation of the principle of flexicurity and for the enhanced investment in human resources.

The second main achievement was the confirmation of the basic principles and the timeframe for the adoption of the energy and climate change package. The goal was to have it adopted, in cooperation with the European Parliament, within the current parliamentary term of office. This timing was of crucial importance if the EU wanted to play a leading role ahead of the Copenhagen Conference to be held in 2009 to adopt a comprehensive global agreement in this domain.

Thirdly, measures to stabilise the financial markets were defined, namely the Memorandum of Understanding on cooperation between the Financial Supervisory Authorities, Central Banks and Finance Ministers of the EU on cross-border financial stability.

Finally, the fourth main achievement of the Slovenian Presidency was to keep Euro-Mediterranean cooperation within the Barcelona Process, involving the 27 Member States and without setting up any parallel institutions. Therefore, "The Barcelona process - the Union for the Mediterranean" would be an advance in terms of visibility and co-ownership.

Mr Janša also addressed the main challenges concerning the future of the EU. While highlighting that this future was already in place, he identified three main problems: pollution, overpopulation

¹ The speech is available at the COSAC website:
http://cosac.eu/en/meetings/Ljubljana2008/ordinarymeeting/speech_Prime_Minister.pdf/

and desertification. The EU could not avoid the problems of the future, he added, but it surely must affect the scale of their impact on the life of European citizens.

It was this awareness that sets the tone for the discussion to be held until the end of the Slovenian Presidency, namely in four different fields: energy and climate change; the rise in food prices; the measures being taken in the field of justice and home affairs to ensure that openness was not damaging to security, but rather enhances it; and, finally, the conclusion of the Stabilisation and Association Agreements in the Western Balkans.

An exchange of views took place. The issues addressed by parliamentarians ranged from the importance of energy and climate change or the need to focus on concrete problems and policies, to the financial crisis and market stabilisation and concerns about illegal immigration and security.

Prime Minister Janša pointed out that the economic slowdown was inevitable. Nevertheless, the EU was geared up to face the problems, minimize the consequences and the new cycle of the Lisbon Strategy would certainly be of use for this purpose. He ended by remembering that while the success achieved in the first fifty years of the EU was measured in terms of peace and prosperity, the success of the next fifty years would depend on the way the EU will answer a very simple question: "Did we take sufficient advantage of the knowledge, technology and prosperity at our disposal to tackle the major challenges: poverty, security and environmental sustainability".

4. Cooperation between the European Union and the Western Balkan Countries in the Field of Home Affairs – Guest Speaker: Mr Dragutin Mate, Minister of Interior of Slovenia

Mr Dragutin Mate, Minister of Interior of Slovenia, gave a twofold presentation on the recent accomplishments and on-going projects of the EU in the field of Home Affairs and on the cooperation with the Western Balkan countries in this very specific field.

Reminding that it was no longer possible for a country to face on its own modern multiple threats, such as terrorism and organized crime, he stressed that all Member States acknowledged the fact that it was essential to cooperate at the European level as regards internal security.

He referred at first to three priorities endorsed lately by the EU within the framework of the Hague Program for Freedom, Security and Justice: building a common European immigration policy, surveillance of the EU external borders and enhancement of the police cooperation. On the first item, the Minister put special emphasis on the fact that the EU was developing a balanced policy, taking into account at the same time the necessity of stemming illegal immigration and the need of the European labour market for migrant workers. Secondly, he welcomed the success of the enlargement of the Schengen area to nine new countries. This significant step would soon be followed by the accession of Switzerland and Liechtenstein to the area and then, as soon as they have met the Schengen accession criteria, by Romania and Bulgaria (probably in 2012). He pointed out also that Slovenia as President of the EU attached a

great deal of importance to the implementation of the new generation Schengen Information System, SIS II. Finally, on police cooperation, he reported that the decision to transform Europol into a European agency and the transposition of the Treaty of Prüm into the *acquis communautaire* would enhance the capacity of the EU to fight against cross-border crime and terrorism.

In the second part of his speech, Mr Mate focused on the cooperation with the countries of the Western Balkans. Whilst he highlighted that the EU usually took advantage of stable cooperation with the police authorities of neighbouring countries, he pointed out that; with regard to the region of the Western Balkans, it was absolutely necessary to build such cooperation. The Western Balkans was an area which, because of its location at the edge of the EU territory, accommodated criminal trafficking routes for drugs, arms and human beings. It was also an important region for illegal immigration. Given this background and its common history with those countries, Slovenia had set cooperation with the Western Balkans in the field of internal security as a priority of its Presidency. Progress was being made in terms of regional cross-border cooperation with the signing of a Police Cooperation Convention for Southeast Europe. Furthermore, the Slovenian Presidency sought to promote or be involved in a large number of cooperation instruments that would enable the countries of the Western Balkans to enhance their ability to fight organized crime including the Southeast Europe Organized Crime Threat Assessment (SEE OCTA), the Vienna Convention on Police Cooperation for Southeast, the SELEC Convention (South East European Law Enforcement Centre), the ILECUS project and the Liaison Officer Network.

In the discussion which followed many delegations stated that the stability of the Western Balkans was essential to the well-being of the EU and gave much support to the Stabilisation and Association Process (SAP) that was aimed at helping the Western Balkans to move towards European integration. A number of speakers mentioned nevertheless that, despite the efforts of the EU, the stability of the Western Balkans was undermined by political issues such as Kosovo's independence and the dispute about the name of the FYROM territory. On security issues, whilst they acknowledged the accomplishments of the EU strategy, some other speakers called for an increased involvement in terms of economic and human resources in order to strengthen the fight against organized crime. Issues such as child abduction or trafficking of human beings (especially women) were raised by parliamentarians who called for specific initiatives on these matters. Assessment of tangible results of the cooperation between EU and the Western Balkans was also requested. It was argued by other participants that EU-Western Balkans relations should be envisaged in a more positive way. In this respect, they stressed that the visa liberalisation was an opportunity for EU to signal of an open state of mind. Mr. Albrecht Konecny (Austria, Bundesrat) wondered if the difference between legal and illegal immigration was actually relevant, given that migrants, whatever their status may be, constitute an essential source of labour on European market.

Mr Mate focused his reply on security aspects, considering that political and diplomatic issues such as the future of Kosovo and its impact on the region did not fall within his field of competence. He stressed both the importance of the efforts made by the Western Balkan States to reach the EU standards, and the achievements of the EU, particularly in a field like immigration, where it was difficult to reach consensus. He stated that, for the time being, it was not possible to

give a precise assessment of the outcome of the cooperation with the Western Balkans in the field of Home Affairs but that SEE OCTA was designed to provide such information. On the reform of the visa regime, he highlighted the fact that a number of criteria and commitments had to be met by all Western Balkan countries. He concluded by reminding of the legal aspects of residence of third-country nationals, even if he considered that Mr. Konecny's point of view made sense.

5. Achieving Goals of the Lisbon Strategy. - Guest Speaker: Mr Janez Potočnik, Commissioner for Science and Research

Commissioner Janez Potočnik, responsible for science and research, emphasised that the Lisbon Strategy is the EU's key policy instrument to face global challenges such as climate change, new emerging economies and aging populations etc.

With a view to the relatively high labour costs the competitiveness of the European economy could only be sustained by a steady increase of its productivity. Therefore investment in science and research is a prerequisite to remain competitive on a global scale. According to the Commissioner the EU should take the lead in the fight against the effects of climate change. In order to preserve its social model and protect the environment it must develop a knowledge based society.

In this context Mr Potočnik highlighted the importance of science and research as part of the Lisbon Strategy, pointing out at the same time the precarious situation of investments in science and research as compared to the USA and China. According to the Commissioner US investments in this area amounted to 2,6% of the Gross National Product (GNP), while investment within the EU reached a mere 1,84% GNP. Already China spent 1,43% GNP for science and research. The steady increase of its R&D (research and development) investments would result in China catching up with and overtaking the EU in a few years. Within the EU, the Commissioner pointed out, investments in R&D were very unevenly spread; while Nordic countries spent up to 4% GNP in this area, the investment in some other Member States did not go beyond a meagre 0,5%. 54% of the overall R&D investments within the EU were private investments. The major share in the EU goes into automotive industries, while in the US investments predominantly focus on information technologies.

The EU had previously agreed to increase R&D investments to 3% of GNP by the year 2020. While it would not be possible to achieve this goal, the Commissioner explained, the debate about it had at least contributed to raising the awareness of the importance of R&D investments. The EU, within its own budget, had increased spending in this area by 40% with a view to the 7th Framework Programme, which made available funds of 54 billion Euros. According to Commissioner Potočnik the newly established European Research Council would insure that only the best R&D projects would receive appropriate funding. He admitted that the European Commission was aware that its programmes were often too complex and too bureaucratic. It was the intention of the Commission to undertake the necessary steps for simplification and more effectiveness of its activities.

The Commissioner emphasised the importance of having reached a political agreement on the "fifth freedom", i.e. the creation of a common European Research Area. In order to put this new "freedom" into practice it was now paramount to create the necessary legal framework, which

also corresponded to other EU programmes such as the EU structural funds. In order to establish an effective framework for the "fifth freedom" the European Commission would also work together with national parliaments of the EU Member States the Commissioner underlined.

During the debate a number of delegations presented their national R&D programmes. A member of the Lithuanian delegation, Mrs Žvikienė, explained the efforts to stop the brain-drain and to make it attractive for successful Lithuanian researches to return home. This should be achieved by a change of tax legislation which is supposed to favour investments in R&D. Mr Eörsi from the Hungarian delegation underscored the necessity to pay more attention to the social dimension while implementing the Lisbon Strategy. Mr Coşkunoglu from the Turkish delegation informed those present that his country also participates in the 7th Framework Programme, especially in the area of renewable energies.

Winding up the debate Commissioner Potočník underlined that the support for R&D activities in the EU was based on the combination of research excellence and solidarity. In this context the Lisbon Strategy evenly reflected the economic, social and environmental requirements. He called for the EU budget to properly reflect the political priorities. Cohesion funds should contribute to strengthen the competitiveness of the EU. He underlined that the success of the European Institute for Innovation and Technology (EIT) depended very much on the active contribution and participation of the private sector. The Commissioner criticised the fact that despite the Union's relatively strong position in area of research there were considerable problems in commercialising research results. In this context the lack of sufficient venture capital in the Union played a significant role. The way to future progress in the area of R&D would be through interdisciplinary activities and cross-border cooperation. Therefore EU programmes foresee financial assistance of up to 60% of the project costs in the case of three partners from different EU Member States cooperating with each other.

6. Adoption of the Conclusions and Contribution of the XXXIX COSAC

Two weeks in advance of the XXXIX COSAC meeting the Slovenian Presidency put forward a draft Contribution to the EU institutions and draft Conclusions of the Conference. The Presidency invited the COSAC parliaments to submit written amendments before the meeting. Both drafts were revised accordingly by the Presidency before the meeting in Brdo pri Kranju and by the Chairpersons on the first day of the XXXIX COSAC meeting.

Consideration, *inter alia*, focused on the role of COSAC in view of the strengthened role of national parliaments as laid down in the Treaty of Lisbon and on the setting up of a working group for the compilation of the check list of national parliaments' ideas on better cooperation in the application of Protocol 2 on the principles of subsidiarity and proportionality.

The Conference adopted the Contribution and Conclusions of the XXXIX COSAC by consensus. Both documents are attached to these minutes.