

**Outline of COSAC's 7th biannual report
on procedures and practices relevant to parliamentary scrutiny
(to be presented to the XXXVII COSAC in Berlin in May 2007)**

Chapter 1: Evaluation of Subsidiarity and Proportionality Checks

The XXXVI COSAC in Helsinki suggested in its Conclusions that after the completion of its second subsidiarity and proportionality check, COSAC should undertake an evaluation of best practice in relation to the checks as well as on how national parliaments can improve their cooperation in this regard.

The two subsidiarity and proportionality checks conducted by COSAC so far concern a Commission proposal on jurisdiction and applicable law in matrimonial matters¹ as well as a Commission proposal on the liberalisation of postal services². The results of the checks are each contained in a report of the COSAC Secretariat.

As stipulated in the conclusions of the XXXVI COSAC in Helsinki, parliaments regard the monitoring of the principles of subsidiarity and proportionality in the framework of COSAC useful. In its conclusions COSAC furthermore welcomes the decisions of the European Council of June 2006 as well as of the Conference of Speakers of July 2006 to encourage national parliaments to reinforce cooperation in the monitoring of subsidiarity issues under the auspices of COSAC.

The aim of this chapter is to undertake an evaluation of the two subsidiarity and proportionality checks that have been initiated by COSAC. This evaluation could prepare the ground for improvements regarding the procedure applied to possible future checks.

Chapter 2: Evaluation of Cooperation with the European Commission

XXXVI COSAC in Helsinki suggested in its conclusions that COSAC should draw up an initial evaluation of the dialogue between the Commission and national parliaments. This evaluation should be based on the experience gathered with regard to the Commission's initiative of direct transmission of COM documents to national parliaments that came into force on 1 September 2006.

According to this initiative that was officially announced in the Commission's Communication "A Citizens' Agenda" of 10 May 2006³ the Commission transmits directly all new proposals and consultation papers to national parliaments and invites them to react so as to improve the process of policy formulation. The Commission

¹ COM(2006) 399 final

² COM (2006) 594 final

³ COM(2006) 211 final

furthermore expressed its commitment to take into account the views submitted by national parliaments.

The 6th bi-annual report already provided an overview on the measures national parliaments have taken with regard to the reception of and response to documents sent by the Commission.

The 7th bi-annual report will provide a follow-up on the procedures applied by national parliaments and will have a closer look on the experience parliaments have gathered especially with regard to the Commission's reactions towards their statements.

Chapter 3: The Future of Europe

This chapter will give an overview on the state of the debate and the latest developments with regard to the constitutional process in order to prepare the discussion of the issue at the XXXVII COSAC meeting in Berlin. Reactions of parliaments to the Berlin declaration commemorating the 50th anniversary of the Treaty of Rome will be taken into account if available.

Chapter 4: Background Information

Chapter 4 will provide background information for the preparation of a further topic that will be put on the agenda of the XXXVII COSAC meeting. A final decision on the content of the topic is still to be taken by the Presidency.