



## **Contribution adopted by the XXXIII COSAC** **(Luxembourg, 17th and 18th May 2005)**

### COSAC

1. Welcomes the progress realized in the ratification of the Treaty establishing a Constitution for Europe and reiterates its appeal launched during the XXXII COSAC to parliaments of Member States which have not yet finalized the ratification procedure, as well as to citizens, to endorse the Treaty;

Also invites parliaments to spare no effort in informing citizens objectively on the content of the Constitution and what is at stake;

2. Notes that the pilot-project on the third railway package to test the subsidiarity early warning mechanism was followed by the majority of national parliaments and concludes that it was a useful experiment;

Considers that, despite the Treaty provisions on subsidiarity and proportionality already in force, such as the “Protocol on the application of the principles of subsidiarity and proportionality” attached to the Treaty on European Union (TEU), the justifications regarding subsidiarity and proportionality put forward by the Commission in the four legislative proposals examined in the pilot-project were insufficient. COSAC calls on the Commission to produce more in-depth arguments in future;

Asks the Commission to provide justifications concerning subsidiarity and proportionality to support proposals that it submits to the European Parliament and the Council;

Considers that further work should be done to clarify the distinction between the principles of subsidiarity and proportionality;

Notes that national parliaments should agree in common cooperation to make the subsidiarity early warning mechanism to work efficiently;

Undertakes to carry out a second pilot-project on a Commission draft legislative act that is published in all the official languages of the EU-25, to facilitate a more efficient exchange of views between national parliaments within the subsidiarity early warning mechanism;

Invites the UK Presidency to propose a subject and timetable for the second pilot-project;

Agreed that in the context of the early warning mechanism provided for in the constitutional Treaty, the six week period available to national parliaments for subsidiarity control should start when the particular draft legislative act has been translated into every official language of the EU-25;

**3.** Notes the progress realised with the continuous support of the European Parliament by IPEX and looks forward to the launching of the IPEX website in autumn 2005, which will provide a platform for the exchange of information among the EU Parliaments in all the EU matters including the subsidiarity check;

Calls on national parliaments to decide to forward information and participate actively in the information exchange;

Welcomes the European Commission's intention to play an active role as a « facilitator » of the electronic EU information exchange among national parliaments using in particular the IPEX network;

**4.** Welcomes the European Commission's intention to strengthen cooperation with national parliaments as expressed by the President and Vice-President of the Commission in their letter to the Speakers (from 21 April 2005);

Expects that relations between national parliaments and the European Commission should bring tangible results and not be limited to mere speeches and declarations;

Particularly approves of Mrs Margot Wallström's intention to visit all national parliaments of the Member States, if possible in 2005;

An invitation to Mrs Wallström under article 4.3. of the rules of procedure could be extended to her depending on the agenda.

**5.** Welcomes the report presented by the Dutch delegation about "Management and control of the EU-finance" and takes note of the recommendations in order to achieve confidence-building budget management, and improve the control systems, for better "communicating Europe" to our citizens and a closer cooperation between the parliaments concerning scrutiny and implementation of the general budget of the EU. COSAC shall return to this issue and will invite the President of the Court of Auditors for further discussion;

Urges a much closer interparliamentary cooperation within the EU in order to strengthen the democratic control of the EU expenditure;

**6.** Notes that most national parliaments use common procedures to control measures taken in the area of freedom, security and justice;

Advises national Parliaments to be alert that the European Commission does not take it upon itself to propose legislation that should be undertaken at the national level;

Calls upon the EU Parliaments to scrutinize the Action Plan for freedom, security and justice presented by the European Commission on 10 May 2005 following their internal procedures and work programme;

Calls on national parliaments to decide how to scrutinise Europol and Eurojust;

Calls on national parliaments for more cooperation in scrutinising Europol and Eurojust;

Calls upon the COSAC secretariat to present a timetable to scrutinise Europol and Eurojust in the national parliaments.

**7.** Welcomes the mid-term review of the Lisbon Strategy and acknowledges the necessity of refocusing priorities to growth and employment as well as social cohesion and environmental sustainability;

Also notes with satisfaction that the European Council recognizes the importance of an efficient use of energies as a factor of competitiveness and sustainable development;

Welcomes the new procedure established to ensure the follow up of the Lisbon Strategy, namely strategic reports of the European Commission, integrated guidelines adopted by the European Council – broad economic policy guidelines (BEPGs) and employment guidelines (EGs) - national reform programmes to be established by Member States and the "Community Lisbon programme" to be presented by the European Commission;

Welcomes the first joint parliamentary meeting in March 2005 between national parliaments and the European Parliament on the Lisbon Strategy. The meeting has stressed the importance of developing and strengthening the parliamentary dimension in the European Union.

**8.** Welcomes the conclusions of the Presidency of the Conference of Speakers of EU Parliaments in Budapest in May 2005 and proposes that the "annual legislative and work programme" of the European Commission should be discussed by national parliaments and the European Parliament;

Appeals to the European Commission to present all language versions of the work programme at the same time;

Asks the COSAC secretariat to report on the progress made in national parliaments with regard to the "Declaration on national parliaments to raise national European awareness", so as to inform any debate on this matter in a future plenary;

**9.** Takes note of a letter of the Polish, Latvian, Lithuanian and Estonian delegations expressing concerns about the deteriorating political developments in Belarus and supporting the aspirations of the Belarussian nation to realize its democratic ideals;

Acknowledges that securing free access to reliable and objective information for the Belarussian society is of the utmost importance.

**10.** In the context of a proposal to invite Ukraine as a special guest, it was decided to discuss the interpretation of article 4.3. of the rules of procedure at the COSAC meeting during UK Presidency;

**11.** Thanks the secretariat for the third biannual report on procedures and practices developed by national parliaments relevant to parliamentary scrutiny;

Considers that the report is an interesting source of information allowing a useful comparison of the different scrutiny systems;

**12.** Recalls that the XXX COSAC decided that two years after the secretariat became operational, COSAC should assess its functioning;

Consequently invites the UK-presidency to evaluate the functioning of the secretariat and to put the item on the agenda of the XXXIVth COSAC.

**13.** Welcomes the signing of the Treaty of accession with Bulgaria and Romania on the 25<sup>th</sup> April 2005 in Luxembourg and expresses its hope that the two countries continue their process of internal reforms;

Invites the national parliaments to support the ratification of this Treaty.