

**MINUTES OF THE  
XXXI COSAC  
DUBLIN,  
19-20 MAY 2004**

**Agenda:**

- 1) Opening of proceedings and adoption of Agenda
- 2) The European Constitutional Treaty - with particular reference to the role of National Parliaments
- 3) Scrutiny of EU Business in accordance with the Protocol on the Role of National Parliaments in the European Union to the Amsterdam Treaty
- 4) The Lisbon Agenda – ‘European Competitiveness in a Globalized World’
- 5) The implementation of the EU Budget: Parliamentary scrutiny and the role of the European Court of Auditors.
- 6) Proposals regarding the role of regional legislative assemblies within COSAC.
- 7) The language regime in COSAC meetings
- 8) Proposed amendments to Rules of Procedure
- 9) The contribution of the XXXI COSAC – debate and conclusion

**Proceedings of the sitting**

***19 May 2004:***

*IN THE CHAIR: Gay Mitchell TD, chairman of the Joint Committee of European Affairs of the Houses of the Oireachtas. Deputy Seán Haughey, vice-chairman of the Joint Committee of European Affairs, took the chair briefly at the beginning of the debates on “Scrutiny of EU business” and on the “Lisbon Agenda”.*

1. Opening of proceedings and adoption of Agenda:

The chairman Mr. Mitchell made a statement welcoming the new members of COSAC from the parliaments of the 10 new Member States.

The agenda was adopted and the chairman informed the meeting that the presidency in consultation with the Troika had invited representatives from the Parliaments of Croatia, Macedonia and the Ukraine as well as EU's Counter Terrorism Coordinator, Mr. Gjis de Vries, to participate as special guests.

2. The European Constitutional Treaty - with particular reference to the role of National Parliaments:

Mr. Brian Cowen TD, Minister for Foreign Affairs, gave an account of the progress in the discussions on the Constitutional Treaty at the Intergovernmental Conference. The Minister stated that the IGC should be concluded no later than June at the meeting of the Heads of state or government.

Mr. Cowen was followed by Mr. Gijs de Vries, "Counter Terrorism Coordinator of the EU, who addressed European initiatives to fight international terrorism. He informed the meeting that the European Council at its summit in June would establish a clear timetable indicating when proposals within this area will be tabled during the forthcoming three Council Presidencies.

There was an extensive exchange of views with the Minister responding to the different points raised.

3. Scrutiny of EU Business in accordance with the Protocol on the Role of National Parliaments in the European Union to the Amsterdam Treaty:

Following these two interventions and the debate, the "*acting chairman*" Mr. Haughey gave a brief oral report on the operation of the COSAC-secretariat.

The "*acting chairman*", explained that "Scrutiny of EU Business" had been put on the agenda in accordance with rule 7.1 in COSAC's rules of procedure that states that principal business on every draft agenda shall be derived from COSAC's role as a body for exchanging information on parliamentary scrutiny. He furthermore informed the delegations that the first "Biannual report on EU-procedures and Practises" from the secretariat had been circulated.

A number of interventions followed from participants giving an account of recent developments in the national scrutiny systems, among other things in relation to initial discussions on setting up systems to deal with the Draft Constitution's early warning mechanism for monitoring the principle of subsidiarity.

The Dutch delegation informed COSAC that the principle of subsidiarity and the early warning mechanism would be at the centre of the debate at the XXXII COSAC in The Hague in the autumn.

4. The Lisbon Agenda – 'European Competitiveness in a Globalized World':

The "*acting chairman*", Mr. Haughey, informed the meeting that the presidency had drawn up a report for COSACs debate on the Lisbon agenda identifying a number of recommendations on how to make the Lisbon process function better. The report proposed among other things the appointment of a Vice-president of the Commission with particular responsibility for coordinating the achievement of the targets of the Lisbon Agenda and the possibility of linking future EU funding more closely to the objectives of the Lisbon agenda.

An exchange of views took place on questions raised by the Lisbon agenda.

5. The implementation of the EU Budget: Parliamentary scrutiny and the role of the European Court of Auditors

The question of the role of the European Court of Auditors was briefly presented by Professor Patricia Barker of Dublin University, chairperson of the advisory group who had prepared a report for the meeting of COSAC on behalf of the Joint Committee on European Affairs of the Oireachtas. The chairman of the Budgetary Control Committee of the European Parliament, Ms. Diemut Theato, took the floor following the presentation of Mrs. Barker introducing the point on budgetary implementation.

An exchange of views took place on the presented issues.

Among other things a suggestion by the European Parliament of setting up a network in the area of the implementation of the EU budget and the possibility of organizing an annual meeting within this network was discussed.

**20 May 2004:**

IN THE CHAIR: *Gay Mitchell TD, chairman of the Joint Committee of European Affairs of the Houses of the Oireachtas.*

6. Proposals regarding the role of regional legislative assemblies within COSAC

The chairman Mr. Mitchell presented the results of a survey on the views of national parliaments on a possible involvement of Regional Legislative Assemblies (RLA's) within COSAC. The secretariat had received 20 replies from 15 parliaments. In 9 out of 20 replies it was stated that there should be some kind of involvement of RLA's, while 10 had rejected the idea. One wasn't in a position to reply at the moment.

The chairman opened the floor for interventions. An exchange of views took place.

The chairman concluded that there was presently no consensus on the issue. It was therefore decided to reconvene the Working Group composed of the chairpersons under Dutch Presidency to continue to examine the matter.

7. The language regime in COSAC meetings

The chairman Mr. Mitchell presented the results of a survey on the question of changing the present language regime of COSAC. The Secretariat had as of Friday 14 May received 17 replies to the questionnaire. In 9 of the replies a willingness to consider some kind of reduced language regime had been expressed, while 8 wished to maintain the present system. Five of the nine however suggested that it should still be possible for participants to speak in their own language, but were willing to accept a reduced number of languages into which interventions would be interpreted.

The chairman opened the floor for interventions. An exchange of views took place.

The chairman concluded that there was presently no consensus on the issue. It was therefore decided that the matter should again be addressed by the Working Group of the chairpersons

after having informed itself of the conclusions of the July meeting of the Conference of Speakers in The Hague.

#### 8. Proposed amendments to Rules of Procedure

The chairman Mr. Mitchell presented two amendments to the COSAC Rules of Procedure about publication of the meetings of the COSAC Troika and the languages of the Rules of Procedure.

The first amendment suggested that the following be added to rule 2.5 of COSACs Rules of Procedure:

“Agendas for Troika meetings shall be circulated to all the national parliaments and to the European Parliament not less than two weeks before such meetings, and minutes of Troika meetings shall be circulated to all the national parliaments and to the European Parliament not more than two weeks after such meetings”

The amendment was adopted unanimously in accordance with rule 14 of the Rules of Procedure.

The second amendment suggested that the languages of the Rules of Procedure were extended to the languages of the ten new Member States of the European Union. It was accordingly proposed to add these languages in rule 15 of COSACs Rules of Procedure:

“The text of these Rules of Procedure shall, for the authentication thereof, be drawn up in Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovenian, Slovak, Spanish and Swedish...”

The amendment was adopted unanimously in accordance with rule 14 of the Rules of Procedure.

#### 9. The contribution of the XXXI COSAC

A draft “contribution” had been circulated by the presidency on the first day before the meeting of the chairpersons where the draft was discussed. A revised draft was issued on the second day following comments and reactions from the chairpersons. Further amendments to the “contribution” were agreed by the delegations.

COSAC hereafter adopted the contribution, which is attached as annex 1 to these minutes.

## **ANNEX 1**

### **XXXI COSAC**

#### **DUBLIN**

**19 - 20 MAY 2004**

### **CONTRIBUTION**

#### **1. NEW MEMBERS.**

COSAC welcomes each of the 10 new Member States of the European Union.

#### **2. INTERGOVERNMENTAL CONFERENCE.**

COSAC takes note of the information from the President in Office on progress in negotiating a Draft Treaty establishing a Constitution for Europe and calls on all parties concerned to conclude the Intergovernmental Conference by the next European Council in June on the basis of the text adopted by the Convention.

#### **3. COUNTER TERRORISM COORDINATOR.**

COSAC welcomes the appointment of a Counter Terrorism Coordinator to co-ordinate the work of the Council in combating terrorism and to maintain an overview of the instruments at the Union's disposal. It notes the progress reported by the Coordinator and wishes to be kept informed of progress at future meetings.

#### **4. PARLIAMENTARY SCRUTINY OF BUDGETARY IMPLEMENTATION.**

COSAC calls for a closer coordination between the Parliaments concerning scrutiny and implementation of the general budget of the European Union.

COSAC takes note of the report tabled by the Presidency on the role of the European Court of Auditors, and compliments its authors for this work. The report is a valuable source of information and ideas on the organization and work of the Court, and it provided the basis for a stimulating debate on the subject at today's plenary meeting of COSAC.

COSAC notes that some of the recommendations in the report fall within the competence of the Intergovernmental Conference.

COSAC will forward a copy of the report to the Council of Ministers, the European Parliament and the Court of Auditors for their consideration.

## **5. SCRUTINY OF EU BUSINESS IN ACCORDANCE WITH THE PROTOCOL ON THE ROLE OF NATIONAL PARLIAMENTS IN THE EU IN THE AMSTERDAM TREATY**

1. COSAC welcomes the first Biannual Report on developments in European Union procedures and practices relevant to parliamentary scrutiny and considers that the report has provided a valuable basis for debate in COSAC. The report will also be a useful source of information for national parliaments in carrying out their functions in relation to European matters.
2. COSAC welcomes the publication, since 2003, by the European Commission of its Annual Policy Strategy in spring and of its Legislative and Work Programme in autumn of each year. Given the importance of these actions for scrutiny it invites future Presidencies' in Office to place on the agenda an exchange of views with political representatives of the Commission.
3. The draft Protocols on National Parliaments and on the Application of the Principles of Subsidiarity and Proportionality and the provision of Title III-article 9.3 on subsidiarity are of major significance for national parliaments' scrutiny. The debate today indicated the opportunity of deepening understanding of the full implications of these provisions if adopted as part of the Draft Treaty Establishing a Constitution for Europe.
4. At the COSAC meeting in 2<sup>nd</sup> half of 2004, COSAC will discuss the models of subsidiarity. The meeting of the Chairpersons will prepare this debate.

## **6. LISBON STRATEGY**

COSAC welcomes the document by the Presidency and reaffirms its commitment to the Lisbon Strategy and the second phase of the implementation of this strategic goal of the European Union.

## **7. EUROPEAN ELECTIONS**

The participants in the XXXI Conference of Community and European Affairs Committees of Parliaments of the European Union, gathered in Dublin on 19 and 20 May 2004, call on all voters in the European Union to participate in the sixth direct elections to the European Parliament, which will take place between 10 and 13 June 2004.

Twenty-five years have passed since the first direct elections to the European Parliament. As the only elected EU body, the European Parliament contributes to strengthening democratic decision-making in the enlarged European Union which, since 1 May 2004, encompasses 25 Member States and 450 million citizens.

All those who call for more democracy, more transparency and greater closeness to the citizens within the European Union are urged to cast their vote in the 2004 European elections.