

Contribution adopted by the XXIX COSAC

Athens, 4-6 May 2003

Contribution

1. COSAC congratulates the 10 new Member States of the European Union and welcomes their members of Parliament and the 75 million citizens they represent. It is thanks to common efforts that Europe is experiencing now a unique moment in its history which confirms once more the strength of the values and principles underlying the European model. It recognizes the efforts of the remaining candidate countries on their way to full membership in the EU and expresses its belief that these efforts will continue according to the envisaged schedule and will lead to the same successful result.

2. COSAC regrets the failure of the European Union to have a common position on the Iraq crisis and believes that the EU must be a strong partner along with the United Nations in the reconstruction of Iraq.

3. COSAC notes the excellent work done so far by the Presidium and the Members of the European Convention and hopes that its meetings will respect the time schedule so that the draft of the European Constitutional Treaty may be presented at the European Council of Thessaloniki. COSAC considers that the next Intergovernmental Conference should be based on this draft and that the new Treaty should be concluded before December 31, 2003, and signed before the European Parliament elections. As decided in Madrid, on May 12-14, 2002, COSAC considers it necessary to give a contribution to the final text proposed by the European Convention.

4. COSAC expresses its satisfaction with the comprehensive examination which has taken place in the Convention on the important questions raised by the European Council in Nice and Laeken, in particular on the strengthening of the role of the national parliaments, the inclusion of the Charter of fundamental rights in the draft constitutional treaty, the distribution of competences between the European Union and the Member States according to the principle of subsidiarity, the adoption as a general rule of the vote by qualified majority and the procedure of co-decision and the simplification of instruments and European decision making procedure.

5. COSAC hopes that the progress achieved already in the Convention as regards the means and methods necessary for the creation of a common area of security, freedom and justice will also be sought for asylum as well as for a common immigration policy, in particular with a view to better control of the external borders of the European Union.

6. COSAC considers it necessary that the new institutional balance of the Union continues to respect the fundamental principles of the Union itself, applies the community method and contributes to successful, transparent and democratic procedures.

7. Concerning the role of national parliaments, COSAC believes that :

a) the proposals by the Presidium of the European Convention on the role of National Parliaments are moving in the right direction, especially as regards the National Parliaments' ability to control the application of the Principle of Subsidiarity, the need to be better informed by the Commission, the Council and the Court of Auditors, as well as the cooperation between the National Parliaments and the European Parliament towards a more effective inter-parliamentary cooperation.

b) The role of National Parliaments in the European Union should be awarded constitutional recognition. This will be achieved by the insertion in the text of the Constitutional Treaty of one article on the definition of the principle of subsidiarity and one article on the role of National Parliaments in the European Union. This should be followed by a detailed protocol -or protocols- on the role of National Parliaments and Subsidiarity.

c) The recommendations made by working groups I and IV should be respected in the protocol or protocols to be annexed to the constitutional treaty, in particular as regards the submission of an opinion under the early warning system and the possibility of demanding a judicial review by the European Court of Justice. In both cases it must be possible for National Parliaments -or, in bicameral systems, for each chamber of the Parliament- to act directly, whenever this is possible according to the national constitutions.*

**The delegation of Luxemburg's Chamber of Deputies abstained from the adoption of this paragraph.*

d) The Convention should take into account the need for better and timely information to National Parliaments, including an official record of the legislative proceedings of the Council.

e) The role of COSAC (in paragraph 9 of the Convention draft Protocol on the Role of National Parliaments), should be better clarified, following the model of the Amsterdam Treaty Protocol.

f) The role of COSAC may be strengthened by providing to the EU institutions the possibility of taking into account COSAC Contributions, when in a position to do so.

g) Since the new constitutional Treaty will be ratified by National Parliaments following referendums in some member States, the role of National Parliaments should not be underestimated.

8. Preparing for an enhanced role of National Parliaments and for intensified inter-parliamentary cooperation:

a) COSAC may promote the exchange of information and best practices between National Parliaments.

b) COSAC encourages National Parliaments and the European Parliament to engage in closer and more constructive cooperation.

c) COSAC supports the best possible use of Information Technology for providing information to and from National Parliaments, the European Parliament and the EU institutions, accordingly to the standards of the IPEX working group.

9. COSAC has agreed on the adoption of its new rules of procedure, including the Copenhagen Guidelines, as well as on Guidelines in view of the establishment of a Troika Secretariat for COSAC.

10. The Italian Delegation announced that the next COSAC meeting will take place in Rome, on October 6 and 7, 2003.