

Folketinget — Europaudvalget

Christiansborg, den 1. august 2005

Europaudvalgets sekretariat

Til

udvalgets medlemmer og stedfortrædere

Referat fra COSAC-formandsmøde og trojkamøde i London 18. juli 2005

Til udvalgets orientering fremsendes referat fra COSAC-formandsmøde og trojkamøde, som blev afholdt i London den 18. juli 2005.

Med venlig hilsen

Lone Boelt Møller,
udvalgssekretær

**MINUTES OF THE
COSAC CHAIRPERSONS MEETING
LONDON,
18 JULY 2005**

Agenda:

- 1) Opening of proceedings and adoption of Agenda
- 2) Debate on the COSAC secretariat
- 3) Debate on Special Guest status (interpretation of Article 4.3 of the Rules of Procedure)
- 4) Debate on the parliamentary aspects of the future of the Constitutional Treaty
- 5) In the light of developments on the ratification of the Constitutional Treaty, an exchange of views with Margot Wallström, Vice-President of the Commission and Commissioner for Institutional Relations and Communications Strategy, on the topics of:
 - the way forward for the subsidiarity mechanism, and possible second pilot project; and
 - methods of scrutiny of the Annual Work Programme of the Commission
- 6) Any other business

Proceedings of the sitting:

JOINTLY IN THE CHAIR: JIMMY HOOD MP, Chairman of the European Scrutiny Committee, House of Commons; and LORD GRENFELL, Chairman of the European Union Committee, House of Lords.

1. Opening of proceedings and adoption of Agenda

The chairman, Mr Hood, welcomed the delegates and presented the draft agenda. The agenda as shown above was adopted by the chairpersons.

2. Debate on the COSAC Secretariat

The chairman, Mr Hood, introduced the topic and presented the paper reviewing the functioning of the secretariat that the Presidency had prepared and distributed to delegates in advance. An exchange of views took place between the chairpersons. Delegates thanked Mr Knudsen for the work he had done as the permanent member of the secretariat. The chairman, Mr Hood, noted that there was unanimous support among the chairpersons for the work of the secretariat and agreement that that work had enhanced the effectiveness of COSAC.

The Chairpersons agreed to recommend to COSAC that the COSAC secretariat should continue to operate beyond the two-year trial period.

The chairman, Mr Hood, invited national parliaments to propose candidates drawn from their own officers for the post of permanent member of the secretariat, and to submit such proposals (together with a CV) by fax or email to the UK Presidency by 26 September 2005. The

chairman reminded delegates that candidates should have experience of working with European affairs and be able to speak English and French. The Presidential Troika would assess the candidatures, which it would present, together with a recommendation, to the COSAC Chairpersons in October.

3. Debate on Special Guest status (interpretation of Article 4.3 of the Rules of Procedure)

The chairman, Lord Grenfell, introduced the topic and presented the paper on special guests that the Presidency had prepared and distributed to delegates in advance. He reminded delegates that the debate followed discussion at the XXXIII COSAC in May in Luxembourg on the request from the Polish delegation, with the support of other delegations, for the Ukraine Parliament to be afforded a status at COSAC.

Lord Grenfell informed the chairpersons that the UK had received requests from the Presidents of the Regional Partnership Parliaments and from the President of COSAP for COSAP to be invited as a special guest to COSAC meetings. The UK had also received a letter from the President of CALRE asking for CALRE to be invited as a special guest to COSAC meetings and proposing a written agreement between COSAC and CALRE.

An exchange of views took place.

Lord Grenfell concluded that there was agreement among the chairpersons that under COSAC's current Rules of Procedure COSAC presidencies could, after consulting the Presidential Troika, issue invitations to the national parliament of Ukraine, COSAP, CALRE or other outside institutions to participate in COSAC meetings as special guests if there was an item on the agenda of definite clear interest to them. It would be important to consider invitations on a case-by-case basis. Lord Grenfell further concluded that there was agreement among the chairpersons that COSAC should avoid a permanent list of special guests, which would be inflexible. It was therefore important for Presidential Troikas to give particular attention in the future to the issue of special guests.

The chairpersons agreed to recommend to COSAC that Article 4 of COSAC's Rules of Procedure should not be amended, because it already gave presidencies the necessary flexibility regarding special guests.

Lord Grenfell said that the UK Presidency would write to the President of the Regional Partnership Parliaments, the President of COSAP and the President of CALRE to inform them of the outcome of the debate.

Lord Grenfell explained to the chairpersons that it had been brought to his attention that the wording of Article 4.2 in the German language version of the Rules of Procedure differed from that in other language versions. When COSAC had amended the rules in 2004, the Publication Office of the Official Journals had by mistake inserted an older version of this Article. The COSAC secretariat had recently contacted the Publication Office to correct this mistake.

Having checked different language versions of the Rules of Procedure, Lord Grenfell also drew the chairpersons' attention to the fact that the wording of Article 4.2 in the English version differed from that in other language versions. The words "applicant countries" and "applicant country" in the English text should read "candidate countries" and "candidate country" in order to be in accordance with the other language versions. The UK Presidency undertook to pursue this issue.

4. Debate on the parliamentary aspects of the future of the Constitutional Treaty

The Chairman, Mr Hood, opened the debate by explaining that the morning debate should be seen alongside the afternoon debate, when Commissioner Wallström would be present. Whereas the afternoon debate provided the chance for a discussion of the specific issue of the way forward for monitoring subsidiarity, the morning debate provided an opportunity for delegations to share their view of where things currently stood regarding the parliamentary aspects of the Constitutional Treaty in its broadest political aspect.

An exchange of views took place.

5. In the light of developments on the ratification of the Constitutional Treaty, Exchange of views with Margot Wallström, Vice-President of the Commission and Commissioner for Institutional Relations and Communications Strategy on the topics of:

- the way forward for the subsidiarity mechanism, and possible second pilot project; and
- methods of scrutiny of the Annual Work Programme of the Commission.

The Chairman, Mr Hood, welcomed Commissioner Wallström to Westminster and asked if she would like to make any opening remarks.

Commissioner Wallström made a speech that covered the two topics of the debate. [NB. The text of Mrs Wallström's speech to the chairpersons is available on the COSAC website: <http://www.cosac.org/en/meetings/next/chairpersons/>] The Chairman thanked the Commissioner and reminded delegates that national parliaments already had power under the Amsterdam Treaty to scrutinise legislative proposals for compliance with the principle of subsidiarity. The Chairman then opened the floor to the chairpersons and an exchange of views took place. Commissioner Wallström replied to the views that had been expressed.

6. Any Other Business:

Biannual Report

The chairman, Mr Hood, reminded delegations that the date for submitting replies to the questionnaire for the 4th biannual report had passed. He asked those delegations that had not done so already to submit their reply to COSAC secretariat as soon as possible. Due to the timetable for producing the report before the XXXIV COSAC, it might not be possible to include in the biannual report information contained in replies received by the secretariat after 2 September 2005.

XXXIV COSAC

The chairman, Mr Hood, told delegations that he was looking forward to the XXXIV COSAC in London on 9-11 October 2005. He hoped to see the chairpersons there and declared the meeting closed.

MINUTES OF THE MEETING OF
THE PRESIDENTIAL TROIKA OF COSAC
18 JULY 2005

PRESENT AT THE MEETING:

Lord Grenfell (UK, House of Lords), joint Chairman; Mr Jimmy Hood (UK, House of Commons), joint Chairman; Mr Ben Fayot (Luxembourg Parliament); Mr Albrecht Konecny (Federal Council of Austrian Parliament); Mr Werner Fasslabend (National Council of the Austrian Parliament); and Mr Edward MacMillan-Scott (European Parliament).

AGENDA:

- 1) Agenda of the XXXIV COSAC in London on 9-11 October 2005;
- 2) Any other business.

1) Agenda of the XXXIV COSAC in London

Lord Grenfell started the meeting of the Presidential Troika by welcoming the delegations to Westminster.

Lord Grenfell then introduced the agenda that the UK was proposing for the plenary meeting of the XXXIV COSAC to be held in October in London, which had been circulated to delegates in advance of the Troika meeting. Lord Grenfell noted that there were two additional proposals for agenda points that had been considered by the UK Presidency.

First, the UK had received a letter from Mr van der Linden, Chairman of the European Affairs Committee of the Dutch Senate, requesting that the XXXIV COSAC should discuss the Commission's proposal for an EU Agency for Fundamental Rights. The European Affairs Committee of the Dutch Senate was concerned that the proposed EU Agency should not unnecessarily duplicate the work that was already being done by other international organisations, especially, the Council of Europe and the Organisation for Security and Cooperation in Europe.

The Presidential Troika discussed the proposal from the Dutch Senate and agreed that the item should not be placed on the proposed agenda for the XXXIV COSAC. In choosing items for the agenda, it was important to select those issues where a discussion in COSAC could add value to the subject. On the proposal from the Dutch Senate, Lord Grenfell suggested that it would be unlikely that COSAC could agree on the way forward, and so it was difficult to see what COSAC could usefully contribute to the issue. Any possible overlap between the proposed EU Agency and other international organisations should be resolved by the institutions themselves and could not be settled by COSAC.

The second additional proposal for the October agenda arose from the Contribution from the XXXIII COSAC in May in Luxembourg, where COSAC agreed to return to the issue of the management and control of the EU Budget and agreed to invite the President of the Court of Auditors for further discussion.

The Presidential Troika discussed the proposal for COSAC to further discuss the management and control of the EU Budget and agreed that the subject should not be placed on the agenda of the XXXIV COSAC as a separate item. Lord Grenfell noted that the issue

could be raised at the October meeting under the debate on future topics for discussion in COSAC (in accordance with Article 7 of COSAC's Rules of Procedure).

There being no further proposals from the delegations, the Presidential Troika agreed to propose to the COSAC Chairpersons the draft agenda for the XXXIV COSAC in October in London as attached to these minutes.

2) Any other business

Special Guests

Lord Grenfell informed the Presidential Troika that the UK had received requests from the Presidents of the Regional Partnership Parliaments and from the President of COSAP for COSAP to be invited as a special guest to COSAC meetings. The UK had also received a letter from the President of CALRE asking for CALRE to be invited as a special guest to COSAC meetings and proposing a written agreement between COSAC and CALRE.

The Presidential Troika agreed that the requests for COSAP and CALRE to be invited to COSAC meetings should be considered by the COSAC Chairpersons as part of their debate on the interpretation of Article 4.3 of COSAC's Rules of Procedure. Following this debate, the UK Presidency should write to the President of the Regional Partnership Parliaments, the President of COSAP and the President of CALRE to inform them of the outcome of the debate.

The Presidential Troika agreed to recommend to the COSAC chairpersons that under COSAC's current Rules of Procedure future COSAC presidencies could, after consulting the Presidential Troika, issue invitations to the national parliament of Ukraine, COSAP, CALRE or other outside institutions to participate in COSAC meetings as special guests if there was an item on the agenda of definite clear interest to them. The Presidential Troika further agreed to recommend to the COSAC chairpersons that it would be important to consider invitations on a case-by-case basis and to avoid a permanent list of special guests, which would be inflexible. The Presidential Troika considered it would be important for Presidential Troikas to give particular attention in the future to the issue of special guests, and the Presidential Troika accordingly agreed to give consideration to the issue of who should be invited as special guests to the XXXIV COSAC in October in London. Lord Grenfell invited the other delegations to send any proposals to the UK Presidency as soon as possible.

Contribution

Lord Grenfell informed the Presidential Troika that the UK Presidency had received a draft contribution for the XXXIV COSAC from Mr Herman De Croo, Chairman of the Federal Advisory Committee of the Belgian Parliament. An exchange of views took place. The Presidential Troika agreed that the draft should be put on the table for consideration by the Chairpersons. The issues in Mr De Croo's draft text could then be raised in a relevant debate by any delegate wishing to do so rather than having a separate item on the agenda for the meeting of the Chairpersons.

Lord Grenfell informed the Presidential Troika that, in accordance with Article 10.3 of the Rules of Procedure, the UK Presidency would issue a draft contribution to COSAC delegations in good time before the XXXIV COSAC to give them a reasonable period for scrutiny and remarks. The final draft would be prepared by the COSAC Chairpersons at their meeting on the afternoon of 10 October 2005 for adoption by COSAC the following day.