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**NOTE**

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From: General Secretariat  
To: Delegations

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Subject: Minutes of the meetings of the COSAC-Chairpersons and minutes of the meeting of the Troika of 12-13 July 2015 in Luxembourg

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Delegations will find attached the minutes of the meetings of the COSAC-Chairpersons as well as the minutes of the meeting of the Troika of 12-13 July 2015 in Luxembourg, drawn up by the COSAC Permanent Secretariat.

## MINUTES OF THE MEETING OF THE CHAIRPERSONS OF COSAC

Luxembourg, Grand Duchy of Luxembourg, 13 July 2015

**AGENDA:****1. Welcome address by Mr Mars DI BARTOLOMEO, Speaker of the Luxembourg *Chambre des Députés*****Introductory remarks by Mr Marc ANGEL, Chair of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration of the Luxembourg *Chambre des Députés*****2. Adoption of the agenda of the meeting of the Chairpersons of COSAC****3. Priorities of the Luxembourg Presidency of the Council of the European Union - keynote speaker: Mr Nicolas SCHMIT, Minister of Labour, Employment and the Social and Solidarity Economy****4. Procedural issues and miscellaneous matters****5. Strengthening of the political dialogue by introducing a "green card" and improvement of the reasoned opinion procedure ("yellow card") - keynote speakers: Mr Paulo MOTA PINTO, Chair of the Committee on European Affairs of the Portuguese *Assembleia da República*, Lord Timothy BOSWELL, Chair of the European Union Committee of the UK *House of Lords*, and Mr Frans TIMMERMANS, First Vice-President of the European Commission for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights****PROCEEDINGS**

IN THE CHAIR: Mr Marc ANGEL, Chair of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration, Luxembourg *Chambre des Députés*.

**1. Welcome address by Mr Mars DI BARTOLOMEO, Speaker of the Luxembourg *Chambre des Députés*****Introductory remarks by Mr Marc ANGEL, Chair of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration, Luxembourg *Chambre des Députés***

Mr DI BARTOLOMEO welcomed all the Chairpersons of COSAC and started his speech affirming that the European Integration was still something attractive for the peoples of Europe. Referring to the negotiations in Brussels for a deal on the Greek bailout, he mentioned that the EU had often been built during crises. Only extraordinary courage and solidarity allowed overcoming of those crises. He stated that strong, innovative and committed national Parliaments were indispensable for the evolution of the European project. He explained that the COSAC Chairpersons and other interparliamentary meetings planned by the Luxembourg Presidency were meant to allow the representatives of the peoples of Europe to make their voices heard. He indicated that the Presidency's meetings would include the Interparliamentary Conference for the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP), the Interparliamentary Conference under Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union, as well as a Chairpersons meeting on the social dimension of the EU. In this context, he reminded that the EU should work for an inclusive social model that would deserve the triple social A. Mr DI BARTOLOMEO also announced that the Luxembourg *Chambre des Députés* would organise in December a meeting to underline the importance of 2015 as the European Year of Development. He added that only peace, solidarity and development were sustainable answers to the suffering of the refugees that we witnessed.

He affirmed his conviction that the national Parliaments should not play only a defensive role. He invited them to create networks and to jointly promote coordinated actions, namely on the Transatlantic Trade and Investment Partnership agreement (TTIP). He concluded wishing that the parliamentary dimension of the Luxembourg Presidency of the EU Council could reach the objective of reinforcing the legitimacy of the legislative process of the EU.

Mr Marc ANGEL saluted the fact that the reinforcement of the political dialogue represented one of the main points on the agenda of this meeting and made the point that a deeper involvement of the national Parliaments was an effective way to bring the citizens closer to the European institutions. He reminded how the political dialogue helped to increase the participation of the national Parliaments into the European Affairs procedures thus consolidating the parliamentary and democratic dimension of the EU. He continued asserting that a stronger political dialogue would mean a more constructive role of the national Parliaments into the legislative process of the EU and a better legislation. Therefore he welcomed the possibility of debating on the ways to improve the "yellow card" procedure following the informal working group that met in May in Warsaw. He added that reinforcing the political dialogue also implied multiplying the meetings with the European Commission, both at political and staff level. From this point of view, he welcomed the decision by the European Commission to seek for opportunities to meet the national Parliaments directly in the capitals of the Member States.

Subsequently, he welcomed Mr Tuur ELZINGA, Chair of the European Affairs Committee of the Dutch *Eerste Kamer*, participating in COSAC for the first time and announced that Ms Eva KJER HANSEN, former Chair of the European Affairs Committee of the Danish *Folketing*, had been appointed as a member of the new Danish Government.

Mr ANGEL explained that, due to time constraints, Minister SCHMIT had to leave earlier and that the procedural issues would be dealt with after his speech and the following debate on the priorities of the Luxembourg Presidency.

## **2. Adoption of the agenda of the Meeting of the Chairpersons of COSAC**

The Chair presented the topics and the keynote speakers on the agenda of the meeting of the Chairpersons. The agenda was adopted without amendment.

## **3. Priorities of the Luxembourg Presidency of the Council of the European Union**

Keynote speaker: Mr Nicolas SCHMIT, Minister of Labour, Employment and the Social and Solidarity Economy

Mr SCHMIT stressed that the motto of the Luxembourg Presidency was Union for its citizens. Mr SCHMIT was convinced that the national Parliaments had to play a crucial role and had to be more included in the EU decision making process. He added that some perceived the EU as a problem, but, given the right resources, it could be a solution. He mentioned that the EU had to produce proposals in the field of better regulation in close cooperation with the European Parliament and that national Parliaments had a fundamental role to play. He believed that the new interinstitutional agreement between the EU institutions could be reached until the end of the year.

The Luxembourg Presidency had set up seven objectives and priorities.

Firstly, Mr SCHMIT referred to more investment and growth. He said that quick implementation of Junckers' EU Investment Plan (EU Investment Plan) was the main issue, emphasising, among others, investment in Research and Development, education, skills to boost social cohesion, and investment for small and medium enterprises (SMEs).

Secondly, he referred to social cohesion and informed the participants that, in the framework of the social dimension, the Presidency aimed to open a broad discussion on the social aspect of the Economic and Monetary Union (EMU), which was missing during the past years.

Mr SCHMIT presented the third objective in the area of Freedom, Justice and Security, which was managing migration. Referring to the situation in the Mediterranean, he said the Luxembourg Presidency had taken up this challenge very urgently. In this respect, the Presidency intended to promote the return of migrants to their countries of origin. He stressed the need for healthy management of migration and for safeguarding a common EU approach. He underlined that the EU could not allow only a few countries assume the issue and that solidarity could not be a vague word. Other important topics in this area included, among others, the EU Passenger Name Record (PNR) proposal and the establishment of a European Public Prosecutor's Office.

The Presidency's fourth priority was the internal market, which, according to Mr SCHMIT, needed to be dynamic. He mentioned the work on cutting barriers in the digital market, as well as the enhanced work on energy union and transport for Europe.

On competitiveness of Europe, the fifth priority, he mentioned, among others, the target of transparency, job creation, growth and solidarity. Referring to TTIP, he mentioned a report adopted by the European Parliament the week before stressing the need of compatibility with EU values.

Sustainable development, directed towards environment, was also one of the key priorities of the Luxembourg Presidency, said Mr SCHMIT, mentioning the circular economy package and preparations for COP21 Paris meeting as the main task in this field.

As last, but not least priority Mr SCHMIT stressed the enhanced presence of the EU across the world, also in light of the European Year for Development, especially mentioning the enlargement process and accession negotiations with EU candidate countries.

He concluded mentioning the UK referendum. He said that the Luxembourg Presidency would listen carefully to the UK proposals. He emphasised that the *acquis communautaire* could not be jeopardised and that he was convinced that the UK would stay in the EU.

Finally, Mr SCHMIT said that Luxembourg Presidency did not have a modest agenda; Europe was going through very difficult times and it was a common task not to put the noble project of Europe in question.

Twenty-one speakers took the floor during the debate.

Mr Jean BIZET first took the floor and presented a joint declaration of the Chairs of the Committees on EU affairs of the French *Sénat* and the Italian *Senato della Repubblica* on the situation in Greece.

Some parliamentarians welcomed the agreement on financial assistance for Greece reached by the euro area Finance Ministers and Heads of State or Government over the week-end of 11 and 12 July 2015.

Many parliamentarians expressed their views on migration. Among others, Ms Ana BIRCHALL, Romanian *Camera Deputaților*, stressed the need to find the right balance between migration and security. Mr Ramón Luis VALCÁRCEL SISO, European Parliament, asked what the Luxembourg Presidency was planning to do during their six month mandate period to reach an agreement between Member States on the migration issues. Mr Luciano BUSUTTIL, Maltese *Kamra tad-Deputati*, said that the exercise of migrant relocation was an exercise of solidarity. Mr Paolo TANCREDI, Italian *Camera dei Deputati*, stressed the importance of solidarity, equal burden and quota sharing. Mr Edmund WITTBRODT, Polish *Senat*, expressed the view that migration was a big challenge and that it was necessary to link migration policy with labour mobility. Mr Christian TYBRING-GJEDDE, Norwegian *Stortinget*, called for short and long-term solutions, which included, among others, stabilisation of the situation in the countries of origin. Mr Peter LUYKX, Belgian *Chambre des représentants*, stated that managing of migration was a horizontal issue, and solidarity was a key aspect in dealing with this policy. He was convinced that every Member State had to play its role and quota had to be shared among all EU countries. Mr NEOFYTOU, Cyprus *Vouli ton Antiprosopon*, added that the EU must establish a credible return policy.

Several parliamentarians expressed their views on the EU enlargement policy. Among others, Ms Majlinda BREGU, Albanian *Shqipëria*, and Ms Emira MEMMETI, *Sobranie* of the Former Yugoslav Republic of Macedonia, both urged the EU to find ways to continue EU enlargement. Mr Richard HÖRCSIK, Hungarian *Országgyűlés*, welcomed enlargement as a Presidency priority and expressed his hope that negotiations with Serbia would be opened soon. Mr Alexander SENIC, Serbia *Narodna skupština*, expressed his concerns as to whether enlargement was indeed a priority for the EU institutions and the Luxembourg Presidency, calling for better cooperation on regional level in the Western Balkans. Ms Marija Maja CATOVIC, Montenegro *Skupština Crne Gore*, as well stressed the need for closer regional cooperation in the Western Balkan countries.

Mr Karlheinz KOPF, Austrian *Nationalrat*, welcomed the Luxembourg Presidency's willingness to implement the EU Investment Plan and urged for special focus on SMEs, especially as concerns implementation of the Small Business Act. Mr Peter FRIEDRICH, German *Bundesrat*, underlined the importance of a European industrial policy. He also called for a European tax system in order to avoid a new crisis and welcomed the priorities on tax harmonisation and tax fraud.

Mr Malik AZMANI, Dutch *Tweede Kamer*, asked how the Luxembourg Presidency would deal with internal and external policy challenges, which would also be on the EU agenda during the Dutch Presidency.

Mr Philippe MAHOUX, Belgian *Sénat*, welcomed the social dimension as one of the key priorities during the Luxembourg Presidency, calling for working towards a genuine social policy and for tackling social dumping.

Mr Sean KYNE, Irish *Houses of the Oireachtas*, welcomed the approach of the Luxembourg Presidency based on outreach and openness, listening to its citizens and supporting enterprises.

Ms Lolita ČIGĀNE, Latvian *Saeima*, after noting the progress made by the Latvian Presidency, encouraged the Luxembourg Presidency to go on with the realisation of the Digital Single Market and the Energy Union. She urged the EU to become more active on EU strategic communication in order to fight the information warfare that the EU was exposed to.

Mr Kalle PALLING, Estonian *Riigikogu*, expressed his worries that, while the EU was busy solving the crisis in Greece or the migration crisis, Russia was taking advantage of this situation in Ukraine.

In his replies, Mr SCHMIT commented on the crisis in Greece, highlighting that it was difficult to draw final conclusions; the solution reached was the result of a balance between solidarity and responsibility, and helped the preservation of the Eurozone and the EU. He acknowledged that Greece had burdens from the past but it was now time to help Greece to put its economy back on the right track.

On migration, he highlighted that it was now time to implement the agreed measures by the Council, which only constituted a first step. The reinstallation of refugees, working on the instruments concerning repatriation which did not function efficiently and the establishment of a common list of safe third countries were mentioned as work in progress. He stressed that any solution must respect the principle of solidarity between Member States. He underlined that the Luxembourg Presidency would try to find a solution to the migration question at several levels, also extending actions to foreign policy, to fighting poverty in the countries of origin or to countering the breakdown of state in some countries.

Commenting on EU economy, the Minister underlined the importance of reconstructing the economies that were suffering most from the crisis. Europe also had to make sure it did not lag behind in the switch to a digital economy or when it comes to new technologies. In his view, it was not enough to invest in the internal market, but the EU must also invest in its human capital through training or qualification measures, which would also help combatting unemployment. He warned that if Europe was not able to reorient its economy, there would not be any growth or job creation.

He recalled that Europe had to strengthen its energy policy, notably by investing more in renewable energies. He warned against being deluded by the cheaper energy price, given that the unstable situation in some of the countries and unforeseen events could rapidly change this. He underlined that the investment in renewables was also fundamental in the context of the negotiations in COP21.

On taxation, he underlined the need for more convergence, which did not mean unification, and for clearer taxation rules, as well as for stepping up the fight against tax dumping, both internally and externally, in order to avoid that more was to be shifted outside Europe. He added that within the OECD, the creation of a level playing field on terms of taxation was absolutely essential.

Concerning enlargement, the Minister underlined the huge responsibility that the EU had towards the countries that were not yet members of the EU. In the Western Balkans, the EU must help the countries to ensure stability both inside the region but also inside the EU. He reminded that no one needed another “Srebrenica” at the door of the EU.

He concluded by reminding that the European spirit must prevail. He acknowledged that the challenges lying ahead could not be solved without the national Parliaments, which needed to be more consulted and involved more actively in the European process. He underlined that national Parliaments also had responsibility in combatting the mistrust that is growing against the European project.

#### **4. Procedural issues and miscellaneous matters**

Mr ANGEL gave a brief account of the results of the Troika meeting. He informed that the Troika had discussed the creation of a working group on strengthening the political dialogue by introducing a "green card" and by improving the "yellow card" procedure. He presented the draft agenda of the LIV COSAC which would focus on three topics: a European Agenda on Migration; A Digital Single Market Strategy for Europe; and Enlargement Policy.

Mr Levan BERDZENISHVILI, *Parliament of Georgia*, expressed his gratitude for the invitation to attend the meeting. He reaffirmed Georgia’s willingness to reinforce interparliamentary cooperation on the EU integration affairs. He mentioned the critical issue of the finalisation of visa liberalisation process and expressed satisfaction for the launch of the EU-Georgia Parliamentary Association Committee. He stressed that for his country de-occupation of occupied territories and consolidation of international support for Georgia's sovereignty and territorial integrity was a top priority.

Mr Svetlen TANCHEV, Bulgarian *Narodno sabranie*, asked to add to the programme of the LIV COSAC meeting a declaration in support of the accession of Bulgaria and Romania to the Schengen area.

Mr ANGEL replied that at the LIV COSAC meeting in December the Bulgarian and Romanian delegations would be able to make a statement on the issue during the session dedicated to the security of external borders in the debate on the European agenda on migration.

Mr Vaclav HAMPL, Czech *Senát*, observed that the time constraints once more would leave little time for discussions and that not all participants would be able to take the floor. For this reason, he asked if it was possible in future to increase the time for discussion.

Mr ANGEL quoted Rule 8.4 of the COSAC Rules of Procedures concerning the allocation of speaking time and said he would submit the question to the next meeting of the Presidential Troika.



Ms BIRCHALL underlined that Romania was acting as a *de facto* member of the Schengen area since 2010. She congratulated the European institutions for their defence of the Schengen *acquis* from the attempts to use security as an excuse to restrict the freedom of movements. She concluded by stressing the request that the two countries be judged for their achievements and not according to the moving targets based on political decisions due to the internal affairs of some Member States.

Mr ANGEL, acknowledging the two countries' efforts in securing the external borders of the EU and the technical progress made, stressed that a lengthier debate on these aspects would take place during the LIV COSAC meeting in December, together with the broader question of the conclusions to take from the cooperation and verification mechanism report.

Mr ANGEL presented the outline of the 24th Bi-annual Report of COSAC divided in three chapters: the Future of parliamentary scrutiny of EU Affairs; the European agenda for Migration; and Enlargement policy. The outline was approved with no amendment. He announced that the questionnaire would be sent out by 29 July with a deadline for answers on 14 September 2015.

Mr ANGEL subsequently raised the point of the co-financing and appointment of the Permanent Member of the COSAC Secretariat. He mentioned Rule 9.5 of the Rules of Procedure of COSAC and indicated that the current agreement would expire by the end of 2015. He announced his intention to address a letter to the Chairpersons of the European Affairs Committees asking Parliaments to confirm their intention to extend the current co-financing agreement for two more years. He announced that the letters of intent would be expected by 15 October 2015. Referring to Rule 9.3 regarding the appointment of the Permanent Member of the COSAC Secretariat, he reminded the participants that the mandate of the current Permanent Member, Ms Christiana FRYDA, would expire at the end of 2015. He announced that he had received a letter from the Cyprus *Vouli ton Antiprosopon* recommending a renewal of Ms FRYDA's mandate. The Chair informed that the Troika, at its meeting the previous day, had agreed on proposing a renewal of the term and submitted the proposal to the Chairpersons. The Chairpersons agreed, thus the Chair suggested there was no need to invite national Parliaments to nominate candidates for the post. Mr ANGEL thanked Ms FRYDA for her excellent work and the Cyprus *Vouli ton Antiprosopon* for delegating her to the COSAC Secretariat. He underlined that the renewal of the appointment had to be confirmed at the LIV COSAC meeting in December.

Finally, Mr ANGEL reported on the Troika's decisions as regards the letters received by the Presidency.

## 5. Strengthening of the political dialogue by introducing a "green card" and improvement of the reasoned opinion procedure ("yellow card")

Keynote speakers: Mr Paulo MOTA PINTO, Chair of the Committee on European Affairs of the Portuguese *Assembleia da República*, Lord Timothy BOSWELL, Chair of the European Union Committee of the UK *House of Lords*, and Mr Frans TIMMERMANS, First Vice-President of the European Commission for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights.

Mr ANGEL noted that during the LIII COSAC in Riga a majority of Parliaments expressed their willingness to create a new tool to reinforce the political dialogue by introducing a "green card", which would also help the national Parliaments to appear in a more positive light, instead of being seen as hindrances to the work at European level. He reminded that the Contributions of Riga invited the Luxembourg Presidency to set up a working group on strengthening the political dialogue by introducing a "green card" and improving the reasoned opinion procedure ("yellow card"). The intention of the Luxembourg Presidency was to propose to be concise, to discuss at a political level in an efficient working group, that is to say one representative per chamber plus one civil servant, to limit the language regime to French and English and to schedule the meetings taking into account the dates of the COSAC meetings. The working group would also prepare a set of non-binding guidelines on the drafting of reasoned opinions and also possibly of the contributions in the context of political dialogue.

Mr Paulo MOTA PINTO, Chair of the Committee on European Affairs of the Portuguese *Assembleia da República*, recalled the evolution of the role of national Parliaments from an initial perspective mainly focused on subsidiarity checks to a broader analysis in which the main question was how national Parliaments could ensure influence in the EU decision-making process. He welcomed the exchange of views on improving the "yellow card" mechanism that had taken place in the past, but underlined that the exercise was not yet conclusive and the establishment of non-binding set of rules of procedure needed to be analysed. However, in order to fulfill the provisions of Article 12 of the Treaty of Lisbon, the "yellow card" could not be the only answer; the participation of national Parliaments should be built mostly upon the political dialogue. He stressed that national Parliaments were, in their own right, actors in the EU and should play a constructive role by using their prerogatives without using however subsidiarity and the legitimacy of the national Parliaments to undermine European integration.

He acknowledged that political dialogue had no legal framework, but mirrored the expression of a common will of both the national Parliaments and the European Commission, to work together towards better legislation. In his view, the best way to improve the political dialogue was by improving the content of the replies of the European Commission to national Parliaments' contributions, namely by mentioning the impact of the positions; ensuring regular visits of European Commissioners to national Parliaments; creating more opportunities for exchange of views between parliamentary committees and the European Commission; extending the opinions of national Parliaments also to matters of proportionality in the framework of the political dialogue without the same legal effect as reasoned opinions; and by fully respecting the institutional balance of powers foreseen in Article 289 (4) of the Treaty of Lisbon and the role of the European Parliament foreseen in Article 225 TFEU.

Lord Timothy BOSWELL, Chair of the European Union Committee of the UK *House of Lords*, shared the experiences on the pilot “green card” on food waste launched by the UK *House of Lords* and in which several Parliaments agreed to participate. He estimated that the level of support had been excellent, because fourteen Chambers, representing a third of all chambers, agreed to sign the draft “green card”, while the time for endorsing the “green card” was still running. He suggested sending this “green card” to the President of the Commission by the end of July and expressed his hope that the European Commission would take the “green card” for what it was: a genuine attempt to make a constructive proposal, reflecting the views of parliamentarians, and the people they represented, across the EU.

Lord BOSWELL indicated that one of the lessons to be learnt from this pilot was that not all the parliamentary Chambers had the same constitutional room for manoeuvre and the implementation of this instrument would imply the modification of internal rules in some Member States. If a formal procedure for a “green card” was to be established, some procedural issues needed to be addressed in the long run, for example the question if formal assent should be given to a “green card” by plenary or by committee. A second problem was the absence of a procedure to deal with differences of opinion or proposed amendments; the question arose as to how amendments could be integrated into the draft “green card”.

He concluded that the “green card” could be a valuable tool which would give national Parliaments a forward gear. He added that democratic control was not only about saying no, but being responsive to the citizens’ needs and acting upon them. He stressed that the aim of the “green card” was not to challenge the role of the European Parliament, which remained crucial, but to help the national Parliaments play a proper part and express their opinion within the framework of the political dialogue and to contribute to a better future for Europe.

Mr Frans TIMMERMANS, First Vice-President of the European Commission for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights underlined that the new Commission had 160 visits and contacts with national Parliaments and was aiming at continuing this effort. He then highlighted that the reconnection of Europe with its citizens passed through a stronger role of national Parliaments which would bridge the gap between the EU level and how it was perceived by the citizens. He asserted that the age-old traditional dichotomy between the national and the European levels belonged to the past. The Vice-President indicated his wish to close the file on the Interinstitutional Agreement on Better Regulation under the Luxembourg Presidency. He added that Europe needed to be more transparent because it was often blamed for legislation that was actually added on at national level; national governments should not get away with blaming Brussels for everything.

He further stated that the perception in the EU institutions had been that national Parliaments were looking for ways to say "no", however, he acknowledged that the initiative of the “green card” would give national Parliaments the opportunity to say "yes". In his view, the “green card” implied a change of philosophy which he appreciated.

Mr TIMMERMANS, underlining that he was speaking in political terms and not only in purely legal terms, stressed that the European Commission would try and work constructively with any initiatives that could count on broad support in national Parliaments. He expressed his opinion that national Parliaments and the European Commission could work within the remit of the existing treaties because there would not be any Treaty changes for this. He stated clearly that the treaties foresaw the exclusive right of initiative for the European Commission, which the Commission would not give up, but, that this would not mean the Commission was not listening to stakeholders. In this regard, he referred to the Commission's relationship with the European Parliament based on the treaties and on the European Parliament's role in giving a clear indication as to where it wanted to go in political terms. On the concrete proposal on food waste, the First Vice-President emphasised that the Commission strongly favoured the introduction of a circular economy, underlining that the EU needed to transform its economy faster than other competitors into a circular economy. The European Commission wanted to create the necessary legal environment to help this transition, of which food waste was an important part.

Opening the floor to interventions, Mr ANGEL noted that all agreed to work towards enhancing the political dialogue within the framework of the Treaty without going beyond it or against the institutional balance of powers.

During the debate, 12 speakers took the floor. Several of them stressed the importance to strengthen the existing forms of interparliamentary cooperation, but also the need to explore new initiatives on improving cooperation. Many of the national Parliaments, as well as Mr VALCÁRCEL SISO, European Parliament, expressed the view that any new initiative should respect the treaties and the current inter-institutional balance. Mr SISO warned against new parallel procedures that could jeopardise; existing procedures and problems should be tackled in a pragmatic way. Ms BIRCHALL said that the EU did not need long institutional debates, but effective actions on important issues and projects. She pointed out that existing mechanisms should be fully exploited before creating new instruments.

The current efforts of the European Commission to interact more with and to pay closer attention to national Parliaments were specifically mentioned by many delegations and were widely welcomed. Mr Vannino CHITI, Italian *Senato della Repubblica*, explained the importance not only of strengthening cooperation among national Parliaments, but also with the European Parliament and the European Commission. He also mentioned that the commitment to strengthen the political dialogue with the European Parliament and European Commission should be linked to the Interinstitutional Agreement on Better Regulation.

Mr Jérôme LAMBERT, French *Assemblée nationale*, underlined what positively had been done by the European Commission and the progress made in improving the quality of the replies that the European Commission gave to national Parliaments in the context of the political dialogue. Mr Richard HÖRCSIK, Hungarian *Országgyűlés* thanked the European Commission with regards to the increase of visits of European Commissioners to national Parliaments.

On the introduction of the "green card", Lord BOSWELL's initiative on food waste was appreciated, in some instances also by representatives of national Parliaments whose Parliaments/Chambers could not, due to their constitutional or internal arrangements, co-sign the letter proposed by Lord BOSWELL. In the case of Belgium, for example, Mr Peter LUYKX explained that the specific topic fell within the competences of the country's regional Parliaments which would be encouraged to participate in the pilot exercise. Ms Agnieszka POMASKA, Polish *Sejm*, said that her Parliament could not support the "green card" due to legal and constitutional concerns in Poland, emphasising the need for ensuring political consensus in order to stress the positive nature of the initiative. She stressed the importance of including the European Parliament in the process.

A general consensus emerged among the speakers who had taken the floor regarding the need to engage in introducing a "green card", as an instrument in the context of increased political dialogue. A few speakers stressed that national Parliaments did not claim to have a right of initiative and that current inter-institutional procedures would not be affected. Mr Jean BIZET, French *Sénat*, pointed out that the "green card" gave national Parliaments the right to fully play their added value, stressing at the same time the need to act in a practical way within the existing treaties. Ms ČIGĀNE appreciated the fact that Mr TIMMERMANS regarded the "green card" as a positive engagement and possible within the existing framework. Mr LAMBERT mentioned a possible future "green card" on the proposal relating to social responsibility of companies.

Mr Paolo TANCREDI, Italian *Camera dei deputati*, expressed the view that the procedure should not be formalised, that the existing mechanisms and practices should be maintained and that there should be no thresholds, no deadlines, as well as no confusion or interference with Article 225 TFEU. In his opinion, the conclusions reached had to be submitted to the EU Speakers Conference.

On the improvement of the reasoned opinion procedure ("yellow card"), some speakers on this topic thanked for the work already done, especially the work of the informal working group on the issue that had taken place in the Polish *Sejm* in Warsaw earlier in May. Some mentioned that the report of that meeting provided a good starting point for further debate and cooperation between national Parliaments. A number of speakers (Mr Edgar MAYER, Austrian *Bundesrat*, Mr AZMANI and Mr BIZET) underscored the need to improve the timeliness and quality of the European Commission's replies to national Parliaments and also to extend the deadline for issuing a reasoned opinion from eight to 12 weeks.

Reflecting on the debate, Mr MONTA PINTO stressed that there seemed to be an agreement that the "green card" was a political initiative in the framework of enhanced political dialogue and that it did not constitute a legal instrument. He stressed that it did not imply competition with the European Parliament and would not affect inter-institutional balance, advising caution, in future discussions, as to its scope and degree of formalisation. Lord BOSWELL agreed that it was indeed right to consider this effort as a collective exercise in the context of political dialogue; it was about making a point together. He further encouraged Parliaments/Chambers to co-sign the proposed letter.

Mr TIMMERMANS stressed that for the European Commission it was out of question to change the treaties or to modify the inter-institutional balance. He expressed his wish to interact politically with Parliaments in the context of political dialogue, underlining at the same time the restrictions and limits the Commission had to observe. On extending the deadline for issuing reasoned opinions, he clarified that the European Commission operated according to the treaties and that it would not be possible to unilaterally extend the deadline from eight to 12 weeks. On the timeliness and quality of replies to national Parliaments, he mentioned the European Commission's continued efforts to improve these.

In addition, he stressed that solutions to problems could not only be sought through proposing new legislation, but also through focusing on implementation of existing legislation and review of current legislation. In this respect, he stressed the importance of cutting red tape, which was not the same as lowering standards. He further remarked that new instruments could not be used as a means to solve Members States' internal problems, stressing the European Commission's intention to take into consideration and respect the different constitutional systems in Member States.

Concluding the debate, Mr ANGEL mentioned that the "green" and "yellow" cards would be further discussed within the COSAC working group regarding which he had sent a letter, dated 29 June 2015, to COSAC delegations. Mr ANGEL concluded that there was agreement on the aspects referred to in his letter on the working group's composition, scope, frequency of meetings, language regime and secretariat. On the frequency of meetings, he pointed out that, following suggestions in the Troika, his staff would examine the possibility of organising a meeting of the working group earlier, before the COSAC meeting, or whether the meeting could be prepared on administrative level. Mr ANGEL said the Luxembourg Presidency would be taking suggestions made during the debate into consideration and that input from the next Bi-annual Report would be taken up in the proceedings of the working group.

**MINUTES OF THE MEETING OF THE PRESIDENTIAL TROIKA OF COSAC****Luxembourg, Grand Duchy of Luxembourg, 12 July 2015****PRESENT AT THE MEETING**

CHAIR: Mr Marc ANGEL, Chair of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration, Luxembourg *Chambre des Députés*.

Ms Lolita ČIGĀNE, Chair of the European Affairs Committee, Latvian *Saeima*, Mr Tuur ELZINGA, Chair of the Committee on European Affairs, Dutch *Eerste Kamer*, Mr Malik AZMANI, Chair of the European Affairs Committee, Dutch *Tweede Kamer*; and Mr Ramón Luis VALCARCEL SISO, Vice-President, European Parliament.

**AGENDA**

- 1. Adoption of the agenda of the meeting of the Presidential Troika of COSAC**
- 2. Approval of the draft programme of the meeting of the Chairpersons of COSAC**
- 3. Debate on the draft programme of the LIV COSAC**
- 4. Approval of the outline of the 24th Bi-annual Report of COSAC**
- 5. Co-financing and appointment of the Permanent Member of the COSAC Secretariat for 2016 and 2017**
- 6. Establishing a working group**
- 7. Letters received by the Presidency**
- 8. Any other business**

## **PROCEEDINGS**

### **1. Adoption of the agenda of the Meeting of the Presidential Troika of COSAC**

The meeting was chaired by Mr Marc ANGEL who welcomed the delegations of the Presidential Troika of COSAC (hereinafter referred to as "the Troika"), especially the Dutch delegation participating for the first time in a Troika meeting and Mr Tuur ELZINGA, the recently elected Chair of the Committee on European Affairs of the Dutch *Eerste Kamer*.

In the absence of any objection, the agenda of the meeting of the Troika was adopted without amendment.

### **2. Approval of the draft programme of the meeting of the Chairpersons of COSAC**

Mr ANGEL referred to the two sessions that would take place the next day. The first one would include the priorities of the Luxembourg Presidency of the Council of the European Union and would be addressed by Mr Nicolas SCHMIT, Minister of Labour, Employment and the Social and Solidarity Economy, also responsible for relations with the European Parliament during the Luxembourg Presidency. The Chair informed of a change on the programme and explained that, due to Mr SCHMIT's busy agenda, the discussion on procedural issues and miscellaneous matters would take place after the debate on the priorities of the Luxembourg Presidency. The second session would focus on Strengthening of the political dialogue by introducing a "green card" and improvement of the reasoned opinion procedure ("yellow card"). Three speakers would address the topic: Mr Paulo MOTA PINTO, Chair of the Committee on European Affairs of the Portuguese *Assembleia da República*, Lord Timothy BOSWELL, Chair of the European Union Committee, UK *House of Lords*, and Mr Frans TIMMERMANS, First Vice-President of the European Commission for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights.

The draft programme of the meeting of the Chairpersons of COSAC was approved without amendment.



### 3. Debate on the draft programme of the LIV COSAC

Mr ANGEL presented the draft programme of the LIV COSAC and especially the different sessions on the draft programme, which included the following: 1. European Agenda on Migration, which would include a part on common asylum policy and legal migration policy and a part on fight against irregular migration and securing Europe's external borders; 2. A Digital Single Market Strategy for Europe; 3. Enlargement policy.

Regarding the topic on the fight against irregular migration and securing Europe's external borders, Mr ANGEL said that the Presidency had not yet confirmed any keynote speakers, but was seeking Mr Dimitris AVRAMOPOULOS, Commissioner for Migration, Home Affairs and Citizenship, Mr Fabrice LEGGERI, Executive Director of FRONTEX, as well as a representative from the Italian or Greek delegation as keynote speakers.

Regarding session II on a Digital Single Market Strategy for Europe, the Chair expressed his hope that Mr Andrus ANSIP, Vice-President of the European Commission for Digital Single Market, would be confirmed as keynote speaker.

Session III would focus on enlargement policy; the Presidency envisaged Mr Johannes HAHN, Commissioner for European Neighbourhood Policy and Enlargement Negotiations, as keynote speaker.

Ms ČIGĀNE took the floor and welcomed the topics chosen by the Luxembourg Presidency, referring to the importance of the underlying issues of migration and of enlargement policy especially for Western Balkans which needed to get the right signals from the EU.

Mr VALCARCEL SISO also welcomed the topics to be discussed and emphasised specifically the European Parliament's proposals on the digital single market and immigration which were of the utmost importance to the European Parliament both because of the social consequences and the economic impact they had on Europe.

Mr ELZINGA informed that the Dutch Parliament, in the context of the parliamentary dimension of the upcoming Dutch Presidency of the Council of the EU, would be contributing and would be taking up, among others, the rule of law and parliamentary diplomacy on its agenda; both issues, he said, could be discussed in relation to enlargement and neighbourhood policy.

#### **4. Approval of the outline of the 24th Bi-annual Report of COSAC**

Mr ANGEL briefly presented the outline of the 24th Bi-annual Report. He reported that the first chapter would tackle the future of parliamentary scrutiny of EU affairs and that the replies to the COSAC questionnaire regarding the two sections on the "green card" and the "yellow card" would serve as input to the discussions in the working group of COSAC that the Luxembourg Presidency intended to establish. The second chapter would deal with the subject of a European Agenda on Migration. The third chapter would tackle the topic of enlargement policy. The Chair said that the questionnaire for the 24th Bi-annual Report would be circulated on 29 July 2015 emphasising the intended deadline of 14 September 2015 for receiving the replies.

The outline of the 24th Bi-annual Report of COSAC was approved without amendment.

#### **5. Co-financing and appointment of the Permanent Member of the COSAC Secretariat for 2016 and 2017**

In relation to the co-financing of the cost for seconding the Permanent Member of the COSAC Secretariat and other technical costs, Mr ANGEL, referring to Rule 9.5 of the Rules of Procedure of COSAC, reminded the Troika members that the current co-financing agreement was valid until the end of 2015 and that it needed to be renewed. In this context, he said that the Presidency intended to send a letter of intent to the Chairs of the Committees on European Affairs of national Parliaments regarding the continuation of the voluntary scheme of co-financing, noting the deadline of 15 October 2015 for receiving the replies. He added that all Parliaments had agreed to continue with the co-financing regarding the previous term.

On the appointment of the Permanent Member of the COSAC Secretariat, the Chair referred to Rule 9.3 of the Rules of Procedure of COSAC and said that the term of the current Permanent Member, Ms Christiana FRYDA, was expiring at the end of 2015. Referring to a letter addressed to the Presidency by the Cyprus *Vouli ton Antiprosopon* recommending a renewal of the current Permanent Member's term on the basis of the Rules of Procedure, he proposed to agree on a renewal of the term. Taking into account the Troika members' agreement with his proposal, the Chair suggested there was no need to invite Parliaments to nominate candidates for the post. The appointment by the COSAC Chairpersons for 2016 and 2017 would follow at the LIV COSAC meeting.

## 6. Establishing a working group

The Chair referred to the letter sent on 29 June 2015 to delegations by the Presidency regarding the establishment of a working group on strengthening the political dialogue by introducing a "green card" and improving the reasoned opinion procedure ("yellow card") and submitted the Presidency's proposals on the working group's composition, its scope, the frequency of its meetings and its language regime to the members of the Troika. The idea of the Luxembourg Presidency was to be very concise and to discuss at political level in an efficient working group. He mentioned the Presidency's proposals on the composition foreseeing representation at political level of each Parliament/Chamber and the European Parliament by one member accompanied by one member of staff at meetings organised before or after COSAC meetings for cost saving reasons, the language regime introducing English and French as working languages and the scope including discussion on establishing non-binding guidelines on drafting reasoned opinions and contributions in the context of political dialogue. The Troika agreed with the Presidency's proposals.

On the proposal regarding the frequency of the meetings, Ms ČIGĀNE noted that it would be desirable to hold meetings at the side of COSAC; however, given COSAC's busy agenda which would not allow sufficient discussion and some Parliaments' desire to start work earlier, she proposed to encourage other Parliaments to host a meeting before the LIV meeting in Luxembourg.

Mr AZMANI agreed and suggested it would be useful to hold a meeting in between, perhaps on Saturday before the COSAC meeting, on an administrative level, to prepare the working group at political level. He also suggested holding separate discussions on the "green card" and "yellow card".

Mr ANGEL confirmed that separate discussions would be held on the "green card" and "yellow card". Regarding Ms ČIGĀNE's proposal, he underlined that, as the decision had been taken to establish a formal COSAC working group, the mandate could not be delegated to other Parliaments; it was up to the Luxembourg Parliament to host and chair such meetings. He expressed his intention to consult with his staff and explore the possibility for an earlier meeting taking into account the Presidency's busy schedule.

## 7. Letters received by the Presidency

The Chair referred to the following letters:

- Letters from Ms Anniken HUITFELD, Chair of the Standing Committee on Foreign Affairs and Defence of the Norwegian *Storting*, from Dr Kathy RIKLIN, National Councillor/President of the EFTA/EU Delegation of the Swiss *Assemblée fédérale*, as well as from Mr Levan BERDZENISHVILI, Chair of the Committee on European Integration of the Parliament of Georgia, regarding participation at COSAC. After consultation with the Troika, letters of invitation had been sent to these Parliaments.
- A letter from Ms Agnieszka POMASKA, Chair of the EU Affairs Committee, Polish *Sejm*, regarding the report of the working group on the possibility of improving the "yellow card" procedure held in Warsaw in May 2015.
- A letter from Mr Daniel MONDEKAR, Chair of the European Affairs Committee, Croatian *Hrvatski sabor*, regarding his Parliament's inability to participate in the meeting of the Chairpersons meeting of COSAC in Luxembourg.
- A letter from Mr MITROPOULOS, Deputy Speaker and Chair of the Committee on European Affairs, Greek *Vouli ton Ellinon*, regarding his inability to participate at the meeting of the Chairpersons of COSAC.

In relation to the letter from Mr MITROPOULOS received earlier that day, Mr ANGEL added that the Greek issue would be discussed the following day under the priorities of the Luxembourg Presidency.

## 8. Any other business

Mr AZMANI noted a farewell letter from Ms Eva Kjer HANSEN, former Chair of the European Affairs Committee, Danish *Folketing*, and recently appointed Minister of Environment and Agriculture in Denmark, addressed to the Chairs of the Committees on EU affairs of national Parliaments.

Mr ANGEL said he would refer to the letter the following day. Furthermore, he mentioned a joint declaration adopted by the Committees of European Affairs of the French *Sénat* and the Italian *Senato della Repubblica* which had reached the Presidency via a channel other than that of COSAC.