

Rules of Procedure of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union

(.....)

PREAMBLE

These Rules of Procedure are designed to facilitate and improve the work of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union¹, hereinafter referred to as COSAC, established on 16-17 November 1989 in Paris.

They may be applied to the meetings of other parliamentary Committees convened by the Parliament of the Member State holding the Presidency of the Council, hereinafter referred to as the Presidency Parliament.

Kommentar [koller1]: as we have been using "COSAC Presidency", without "Parliament"

On the basis of the XXVII COSAC on 16-18 October 2002 in Copenhagen it was decided at the extraordinary XXVIII COSAC on 27 January 2003 in Brussels to strengthen co-operation between the national Parliaments in the EU, to extend the Rules of Procedure with new rules for voting and to adopt guidelines for effective parliamentary scrutiny of governments in connection with Community issues (Copenhagen Parliamentary Guidelines).

The members of COSAC intend to work in accordance with the Guidelines for interparliamentary cooperation in the European Union as adopted at the Conference of Speakers of the European Union Parliaments on 19-21 June 2008 in Lisbon and in accordance with their own parliamentary practice².

These Rules of Procedure adopted by the COSAC on replace the Rules of Procedure that were adopted by the XXXVIII COSAC on 14-16 October 2007 in Estoril.

1. TASKS AND COMPETENCES FOR COSAC

- 1.1. COSAC enables a regular exchange of views, without prejudicing the competences of the parliamentary bodies of the European Union.
- 1.2. Article 10 of the Protocol on the Role of National Parliaments in the European Union to the Treaty of Lisbon amending the Treaty on European Union, the Treaty establishing the European Community, empowers COSAC to submit any contribution it deems appropriate for the attention of the European Parliament, the Council and the Commission and to promote the exchange of information and best practice between Parliaments of the European Union national Parliaments and the European Parliament, including their special committees. It may also organise interparliamentary conferences on specific topics, in particular to debate matters of common foreign and security policy, including common security and defence policy.

Kommentar [koller2]: This is consistent with footnote 1; the expression used here could be interpreted that information and best practise are only exchanged between NP on one side and the EP on the other side, and not among all of them together.

¹ The term 'Parliaments of the European Union' refers to the national Parliaments of the Member States of the European Union (hereinafter referred to as 'national Parliaments') and the European Parliament.

² As stated in the Protocol on the Role of National Parliaments in the European Union, the way in which national Parliaments scrutinize their governments in relation to the activities of the Union is a matter for the particular constitutional organisation and practice of each Member State.

- 1.3. Contributions made by COSAC shall not bind national Parliaments and shall not prejudice their positions.

2. ORGANIZATION OF MEETINGS

2.1. ~~Plenary-Ordinary~~ meetings

One plenary meeting of COSAC shall be held during each Presidency taking account of different parliamentary practices of Member States, of election periods and of the dates of public holidays in Member States. The date of the next meeting shall be fixed and announced by the date of the preceding meeting at the latest.

Kommentar [koller3]: Using "Plenary" could indicate that "Extraordinary meetings" use another format.

2.2. Extraordinary meetings

Extraordinary meetings of COSAC shall be held, if deemed necessary, by an absolute majority of the Chairpersons of the Committees for Union Affairs of the national Parliaments and of the appropriate body of the European Parliament.

2.3. Meetings of the Chairpersons

A preparatory meeting of the Chairpersons of the Committees for Union Affairs and of the representative(s) of the European Parliament shall be held prior to each plenary meeting of COSAC, in agreement with the Presidential Troika of COSAC. Each delegation consists of two Members of its Parliament.

2.4. Extraordinary meetings of the Chairpersons

Extraordinary meetings of the Chairpersons of the Committees for Union Affairs and the appropriate body of the European Parliament shall be held, if proposed, by the Presidency Parliament, after consulting the Presidential Troika, or, if deemed necessary, by an absolute majority of the Chairpersons of the Committees for Union Affairs of the national Parliaments and of the appropriate body of the European Parliament.

2.5. The Presidential Troika of COSAC

The Presidential Troika of COSAC consists of the delegations ~~of the national Parliaments~~ of the Presidency, the preceding Presidency, the following Presidency, and the European Parliament. Each delegation consists of two Members of its Parliament.

2.6. Working groups

COSAC may decide to set up a working group to study a particular issue linked with the activities of the European Union. Such a working group shall also be set up, if deemed

necessary, by an absolute majority of the Chairpersons of the Committees for Union Affairs of the national Parliaments and of the appropriate body of the European Parliament. The Chairperson of the Committee for Union Affairs of the Presidency ~~Parliament~~ shall act as the Chairperson of the working group. The secretariat of the Presidency ~~Parliament~~ shall provide the secretariat for the working group.

2.7. Documentation of the meetings

Agendas for all the aforementioned meetings shall be circulated to all national Parliaments and to the European Parliament not less than two weeks before the meetings, and minutes of those meetings shall be circulated to all national Parliaments and to the European Parliament not later than two weeks after the meetings.

2.8. Place of the meetings

Meetings shall take place in the Member State holding the Presidency. Extraordinary meetings, meetings of the Chairpersons, meetings of the Presidential Troika of COSAC and meetings of working groups may be held elsewhere.

2.9. Convocation

~~Plenary-Ordinary~~ COSAC meetings, meetings of the Chairpersons of Committees for Union Affairs, extraordinary meetings and meetings of working groups shall be convened by the Presidency Parliament.

2.10. Preparation of the meetings

The delegations may send letters/documents ~~relating to items on the agenda~~ to the secretariat of the Presidency Parliament and the Presidency Parliament may also draw up discussion documents for the conference.

Kommentar [koller4]: Of course, letters/documents should be in context with COSAC, but how could you then ask for the insertion of a new item on the agenda/discussion on another issue, if has to be in relation to items on the agenda?

2.11. Planning of the meetings

COSAC shall establish a rolling, long term, calendar of its meetings.

3. COMPOSITION

3.1. ~~Plenary-Ordinary~~ and extraordinary meetings

Each national Parliament shall be represented by a maximum of six Members of its Committee(s) for Union Affairs. The European Parliament shall be represented by six Members. Each Parliament shall determine the composition of its own delegation.

3.2. Observers from the Parliaments of candidate countries

Three observers from the Parliaments of each candidate country shall be invited to ~~plenary ordinary~~ and extraordinary COSAC meetings. Two observers from the Parliaments of each candidate country shall be invited to the meetings of the Chairpersons of Committees for Union Affairs.

3.3. Other observers, specialists and special guests

The Presidency shall invite observers from the General Secretariat of the Council and the Commission, and it may invite observers from the embassies of the Member States of the European Union, and, after consulting the Presidential Troika, other national Parliament, specialists and special guests.

3.4. Public access to meetings

Meetings of COSAC shall be public, unless otherwise determined.

4. DESIGNATION OF MEETINGS

- 4.1. The designation of ~~plenary-ordinary~~ and extraordinary meetings shall be 'Conference of the Parliamentary Committees for Union Affairs of Parliaments of the European Union - COSAC', with the name preceded by a Roman numeral in sequence, followed by the date and the place of the meeting.

5. AGENDA

- 5.1. Before the last ~~plenary-ordinary~~ meeting of each year the delegations shall indicate the subjects they propose be dealt with the following year. This matter shall be discussed at the end of the meeting. The Presidential Troika, paying due account to the provisions of Article 10 of the Protocol on the Role of National Parliaments in the European Union to the Treaty of Lisbon, proposes, at the beginning of each Presidency, one or several subjects drawn from the working programme of the Council, the European Parliament, and the Commission, or from proposals made by the members of COSAC during the meeting referred to above.
- 5.2. The principal business on every draft agenda shall be derived from the role of COSAC as a body for exchanging information and best practices between Parliaments of the European Union~~national Parliaments and the European Parliament~~, in particular on the practical aspects of parliamentary scrutiny.
- 5.3. A draft agenda shall be drawn up by the Chairperson of the Committee for Union Affairs of the Presidency ~~Parliament~~, after consulting the Chairpersons of the Committees for Union Affairs and the representative(s) of the European Parliament. The delegations may propose to the Presidency Parliament that a specific item is put on or removed from the draft agenda.

Kommentar [koller5]: see above, 1.2

- 5.4. The meeting itself shall decide on its final agenda.

6. LANGUAGES

- 6.1. Each delegation is responsible for translating any document, which it submits into English and/or French.
- 6.2. Participating Parliaments will receive conference documents in English and/or French. Each Parliament is responsible for translation into its official language(s).
- 6.3. Simultaneous interpretation into the official languages of the EU is provided during the plenary meetings.
- 6.4. The contributions of COSAC are drawn up in a single original in English and French, each of these texts being equally authentic.

7. COSAC CONTRIBUTIONS

- 7.1. COSAC may address contributions for the attention of the European Parliament, the Council and the Commission pursuant to the Protocol on the Role of National Parliaments in the European Union to the Treaty of Lisbon.
- 7.2. Each delegation may propose that a contribution be adopted by COSAC. A draft contribution shall be drawn up if proposed by the Presidency **Parliament**, after consulting the Presidential Troika, or if deemed necessary by an absolute majority of the Chairpersons of the Committees for Union Affairs of the national Parliaments and of the appropriate body of the European Parliament, or if decided in a meeting of COSAC.
- 7.3. The draft of a contribution shall be communicated to the delegations in good time before the relevant meeting of COSAC to give them a reasonable period for scrutiny and remarks.
- 7.4. The final draft of a contribution shall be prepared at the preparatory meeting of the Chairpersons during the relevant meeting of COSAC. It shall embrace the observations and remarks by all delegations, including possible declarations concerning the vote.
- 7.5. In general COSAC shall seek to adopt contributions by broad consensus. If this is not possible, contributions shall be adopted with a qualified majority of at least 3/4 of the votes cast. The majority of 3/4 of the votes cast must at the same time constitute at least half of all votes.
- 7.6. Each delegation has two votes.
- 7.7. After adoption, the contribution is published in the Official Journal of the European Union.
- 7.8. After adoption, the Presidency Parliament shall send the contribution to the Presidents of the European Parliament, the Council and the Commission inviting them to respond to the contribution.

8. ROLE OF THE PRESIDENCY PARLIAMENT

- 8.1.** The Committee for Union Affairs of the Presidency Parliament shall hold the Presidency of COSAC during that Presidency.
- 8.2.** The secretariat of the Presidency Parliament shall prepare the documents for the meetings. It shall be assisted by the COSAC Secretariat.
- 8.3.** The Chairperson of the Committee for Union Affairs of the Presidency Parliament shall open the debate.
- 8.4.** The Chairperson of the Committee for Union Affairs of the Presidency Parliament shall propose a timetable for the meeting and the length of speeches, which shall be four minutes, unless the meeting determines otherwise.
- 8.5.** The secretariat of the Presidency Parliament shall draw up brief minutes of the meeting. The draft is provided by the COSAC Secretariat.
- 8.6.** The Chairperson of the Committee for Union Affairs of the Presidency Parliament shall present the debate's conclusions, as drawn up by the Presidential Troika.
- 8.7.** The secretariat of the Presidency Parliament shall provide the secretariat for the activities of COSAC during its term. The COSAC Secretariat shall provide assistance.

9. THE COSAC SECRETARIAT

- 9.1.** The COSAC Secretariat shall be composed of officials from the Parliaments of the Presidential Troika, and a Permanent Member who supports the Secretariat in its activities.
- 9.2.** The officials from the Parliaments of the Presidential Troika shall be appointed by each of the relevant Parliaments for a non renewable period of eighteen months.
- 9.3.** The Permanent Member shall be appointed by the COSAC Chairpersons on the proposal of the Presidential Troika. He or she shall be an official of a National Parliament and shall remain in office for two years with the possibility of one renewal.
- 9.4.** The COSAC Secretariat shall assist the Presidency Parliament in all its tasks. The members of the COSAC Secretariat shall perform their duties under the political responsibility of the COSAC Presidency and the Presidential Troika or according to the decisions taken by COSAC meetings. The Permanent Member shall coordinate the activities of the COSAC Secretariat under the direction of the Presidency Parliament.
- 9.5.** The cost for seconding the Permanent Member of the Secretariat to Brussels and other necessary technical costs of the Secretariat are jointly borne by Parliaments wishing to contribute. The amount and the terms of payment for the co-financed expenditure are defined in an agreement among the participating Parliaments.

10. COSAC CONCLUSIONS AND COMMUNIQUES

- 10.1.** If COSAC decides to adopt conclusions or issue a communiqué, a draft shall be drawn up by the Presidential Troika.
- 10.2.** The draft of the conclusions shall be communicated to the delegations in good time before the relevant meeting of COSAC to give them a reasonable period for scrutiny and remarks.
- 10.3.** Conclusions and/or communiqués shall be sent to the national Parliaments, the European Parliament, the Council, and the Commission by the secretariat of the Presidency Parliament.

11. REVISION OF THE RULES OF PROCEDURE

- 11.1.** Proposals for a revision of the Rules of Procedure must be sent, in writing, from one or several delegations of one or several Parliaments to all national Parliaments of the Member States and to the European Parliament at least a month before the meeting of COSAC.
- 11.2.** Proposals for a revision of the Rules of Procedure should be put on the agenda of the first meeting of COSAC following the presentation of the proposal.
- 11.3.** Adoption of the proposal requires unanimity between the delegations present at the meeting. Abstentions by delegations shall not prevent the adoption of the proposal.
- 11.4.** Quorum is at least 2/3 of the delegations.
- 11.5.** Each delegation has one vote.

12. ENTRY INTO FORCE

- 12.1.** These Rules of Procedure shall enter into force as soon as they are published in the Official Journal of the European Union. They are drawn up in a single original in English and French, each of these texts being equally authentic.
- 12.2.** The text of these Rules of Procedure shall, for the authentication thereof, be drawn up in Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovenian, Slovak, Spanish and Swedish. The translations shall be agreed between the national Parliaments using those languages and the European Parliament. In any question relating to the interpretation of these Rules of Procedure only the English and French versions shall have official status.

APPENDICES

Declaration by the European Parliament on Rule 7.5 of the Rules of Procedure

The European Parliament can abstain in any vote on a contribution which is also addressed to it.
