



**REPORT BY MR JEAN BIZET, CHAIRMAN OF THE FRENCH SENATE'S
COMMITTEE ON EUROPEAN AFFAIRS**

COSAC – 31st OF MAY 2010 – MADRID

**THE FUTURE ROLE OF COSAC
AFTER THE ENTRY INTO FORCE OF THE TREATY OF LISBON**

COSAC was created more than twenty years ago at the sole initiative of national Parliaments. It was not until ten years later that COSAC was formally recognised in the treaties, when the Treaty of Amsterdam listed its missions. Now the Treaty of Lisbon has confirmed its status by granting COSAC a special part to play in interparliamentary cooperation.

For this reason, the time has come to reflect upon COSAC's role on the aftermath of the Treaty of Lisbon. Indeed, this discussion follows on from the debate on the future of interparliamentary cooperation that took place recently at the Conference of Speakers of EU Parliaments.

I – WHAT MAKES COSAC DIFFERENT?

i) COSAC's continuity. The schedule of meetings – one plenary session and one Chairpersons' meeting per semester – allows work to take place on a long-term basis; most other interparliamentary meetings are too infrequent, leading to a lack of follow-up.

ii) COSAC's generalist approach. COSAC looks at crosscutting European issues as well as more clearly defined topics, and deals with current affairs as well as long-term questions.

iii) COSAC's debating system. COSAC adopts contributions that it then sends to EU institutions. It is the only body for interparliamentary cooperation granted this role by the Treaties. Even the Conference of Speakers does not have a voting process; its

conclusions are chairman's conclusions and have to be consensual in nature, whereas COSAC can vote for adopting a contribution.

II – WHAT'S NEW UNDER THE TREATY OF LISBON?

I have identified two substantial changes:

The first concerns COSAC's debating system. The Treaty of Lisbon widens COSAC's scope. The Treaty of Amsterdam defined the topics for which COSAC could adopt contributions. The Treaty of Lisbon simply says that COSAC may send "*any contribution it deems appropriate*" to the institutions. COSAC's generalist approach is thus given formal recognition.

The second change ushered in by the Treaty of Lisbon affects COSAC's role in interparliamentary cooperation. Article 10 of the Protocol on the role of national Parliaments in the European Union points out that COSAC must develop "*the exchange of information and best practice between national Parliaments and the European Parliament, including their special committees*". This phrase clearly shows that from now on COSAC is to act as a catalyst, spurring on parliamentary committees to play a more active role in interparliamentary cooperation. Finally, the Treaty of Lisbon goes on to add that COSAC may "*organise interparliamentary conferences on specific topics*" and gives the Common Foreign and Security Policy and the Common Security and Defence Policy as examples.

III – WHAT SHOULD COSAC'S ROLE BE IN THE FUTURE?

When I read by the biannual report based on the answers supplied by all the Parliaments, I was struck by the general satisfaction expressed regarding the work that COSAC undertakes.

The conclusion that I draw is that **we should continue fulfilling our mission as we do at present, while making some improvements.**

The questionnaire results show the high value placed on exchanges between colleagues that COSAC generates. My own feeling is that this satisfaction is down to the fact that we meet on a regular basis, which has led to the creation of a real network. It is only natural that exchanges between colleagues who know and respect each other should have more value and meaning than when colleagues come together only once without much hope of meeting again.

The answers also bear witness to the amount of interest shown in sharing best practices. I think that this proves the case for continuing to draw up biannual reports that list examples of best parliamentary practices and which can form a basis for debate. The question of subsidiarity could provide fertile ground for exchanging best practices. The subsidiarity tests carried out by COSAC raised much interest, as the answers in the report show. Now that the Treaty of Lisbon has entered into force, we no longer have to carry out these tests jointly. Neither, I believe, can COSAC continue to be the forum where we debate subsidiarity compliance for specific proposals. The timetable set out by the subsidiarity protocol makes this impossible.

On the other hand, I do think that COSAC could be the right place for us to discuss our experience of subsidiarity issues, to talk about any problems that have cropped up and how these can be resolved. We could perhaps draw up a report from time to time on

the methods of carrying out subsidiarity checks and their results. We could also assess the manner in which the Commission participates.

The questionnaire answers also show how much we all enjoy the debates with the executive bodies of the EU, i.e. with the Presidency in office and with the European Commission. As some of you have suggested, I think this dialogue should be widened. The Treaty of Lisbon has modified the way the Presidency operates, both by creating the office of the permanent President of the European Council and by transforming the role of the High Representative. It would only be reasonable for COSAC to be given the opportunity in certain cases to debate with the President of the European Council or the High Representative, depending on current events.

The answers you gave in the questionnaire also show that you want to avoid debates that are too general in nature and that do not allow for constructive discussions. This is why some of you have suggested that we debate draft legislation. I think that it would be a very good idea to add this to the other items on our agenda. As often happens, any success will depend upon the methods employed; we have to choose the right text and the right time.

Opinions vary as to debates on the Commission's annual policy strategy or on its legislative and work programme. There seems to be a general desire for a general policy debate with the Commission. However, this desire may be thwarted by timetabling problems. Take the Commission's last legislative and work programme. The European Parliament debated it on 20th April. Would a debate in COSAC on 1st June have had any impact? Personally, I wonder if it would not be a better idea to look towards organising interparliamentary meetings in Brussels specifically in order to debate the annual policy strategy or the legislative and work programme. I do not think that it will be possible to adapt COSAC's timetable to the publication dates of these two documents.

The same problem partly affects the priorities of the rotating Presidency. Clearly, we cannot have a meaningful debate on the Spanish Presidency on 1st June 2010. But we could discuss the Presidency's achievements with the Prime Minister and debate any problems encountered and his aims for the European Summit on 17th June.

This brings me to **the new role that COSAC has to play in the light of the Treaty of Lisbon.**

The Protocol on national Parliaments puts the promotion of interparliamentary cooperation in COSAC's hands.

Obviously it is not COSAC's job to exert any authority over the various forms that such cooperation may take. But it is up to COSAC to ensure that the provisions of the Treaty in this area are fully applied.

The Treaties allow for the participation of national Parliaments in the evaluation of Eurojust and the monitoring of Europol. COSAC is not intended to be the forum for this participation, but it can make a contribution to considerations on this subject, and above all COSAC must ensure that any necessary texts are adopted as soon as possible, and after consultation with national Parliaments.

Similarly, it is not part of COSAC's role to carry out any interparliamentary monitoring of the Common Security and Defence Policy. But COSAC has to make sure

that the monitoring takes place. The upcoming dissolution of the WEU means that a solution will have to be found fairly rapidly to fill the gap. Parliamentary debate in this area cannot be left to the European Parliament alone, as the decisions and the funding are essentially a matter for national Parliaments. COSAC therefore has to ensure that appropriate interparliamentary monitoring is put into place, based on the competent parliamentary committees, as the Protocol on the role of national Parliaments suggests.

More generally, progress in European integration will increasingly require the development of interparliamentary cooperation. For example, national Parliaments will need to get more involved if we want more efficient coordination of economic policies and budgets. We could perhaps consider having a debate among members of all EU Parliaments on trends in each country's budgetary policy. The same is true if the "EU 2020" strategy is to arrive at more tangible results than the Lisbon Strategy that it replaces.

COSAC's role includes thinking about extending the desired development of interparliamentary cooperation into different areas, encouraging and stimulating it.

*

In conclusion, we can say that after the Treaty of Lisbon COSAC must preserve and strengthen the three aspects of its traditional role:

- holding political dialogue with EU executive bodies,
- adopting Contributions resulting from its debates,
- sharing information and best practices on the monitoring role of national Parliaments

Beyond all this, and in the spirit of the new Treaty, COSAC must encourage the establishment of all instruments of interparliamentary cooperation in the light of developments in the activities of the European Union.

Jean BIZET