



PARLIAMENT OF THE CZECH REPUBLIC

THE SENATE

LUDEK SEFZIG

CHAIRMAN OF THE COMMITTEE
ON EUROPEAN UNION AFFAIRS

Prague, May 13th, 2010

Dear Colleague,
Dear Mr. Arias,

Firstly, let me express my thanks for your invitation to the COSAC meeting in Madrid. I am really looking forward to seeing you soon.

A few days ago, I received the draft contribution and conclusions of the XLIII COSAC. Let me admit that I was quite amazed by the wording of certain parts of the draft that seem to exclude the subsidiarity issue from the priorities of the Conference. Not anticipating the debate in Madrid, I am not sure whether the proposed wording reflects the fact that not insignificant number of national parliaments wish to have this issue as one of the crucial points of the COSAC mission. Personally, I could not agree with such an eliminating wording of the contribution and conclusions.

Furthermore, allow me to add one short remark. Proposing to change the COSAC into a body for confronting political views among European and national level of decision-making (see point 6.2. of the draft contribution), we are at risk that such formalized structure shall not correspond with the role of COSAC, as it is provided for by the Treaty of Lisbon and the Rules of Procedure of the COSAC. According to the art. 7.1.A of the Rules of Procedure, the principal business on every draft agenda shall be derived from the role of COSAC role as a body for exchange of information, in particular on the practical aspects of parliamentary scrutiny. I estimate there is no mandate to change the role of COSAC to a quasi-parliamentary political forum.

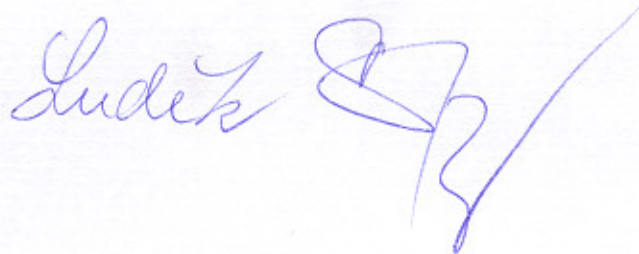
Certainly, it is a major task to define the future role of COSAC. Taking into account that the Treaty of Lisbon makes the subsidiarity control an essential part of parliamentary scrutiny and that high quora of one third or one half of parliamentary chambers are prerequisites to trigger the control mechanisms, I do not think that

the recital of the Treaty should remain an empty concept. The recent months proved the fact that without any coordination of information exchange on those legislative acts that are especially remarkable vis-à-vis the subsidiarity principle, the above mentioned risk of set-back of parliamentary mechanisms established by the Treaty of Lisbon rises considerably.

Dear Colleague, as an annexe to this letter, let me send you the resolution of the Committee on EU Affairs of the Czech Senate of May 12th, 2010. After deliberating the current Commission Work Programme 2010, the Committee indicated legislative proposals that could be potentially sensitive regarding the subsidiarity issue. I hope that similar practice of early indication could be useful for coordination of subsidiarity control and exchange of information among national parliaments in the future.

I am looking forward to the fruitful debate in Madrid.

Sincerely yours,



Miguel Arias Cañete

Chairman of the Joint Committee on European Union Affairs

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