

To Ms. Anna Kinberg Batra  
Chairperson of the Committee on European Union  
Affairs  
Riksdagen  
SE - 100 12 Stockholm  
Sweden

cc. Mr. Miguel Arias Cañete, Congreso de los  
Diputados, Spain  
cc. Ms. Loreta Raulinaityte, COSAC Secretariat

Date: November 26th, 2009  
Re: Subsidiarity Checks assisted by COSAC

Dear Madam,

During the past few years, COSAC has coordinated a number of experimental subsidiarity checks between the national parliaments of the EU. They were conducted in the context of the draft Protocol no. 2 to the Treaty of Lisbon on the role of national parliaments in the European Union. In total, 7 joint checks have been conducted, with the active participation of a large majority of national parliaments.

The last COSAC meeting in Stockholm called on the incoming Spanish Presidency to reflect on possible forms of future parliamentary cooperation with regard to subsidiarity. Under the new Treaty, national parliaments take up the responsibility to protect the principles of subsidiarity and proportionality. COSAC, as their coordinating body, should ensure that Parliaments fulfil their role in a meaningful way.

Now that the ratification of the Treaty is completed, the pilot subsidiarity checks should be carefully assessed, as agreed at the start. We think that the pilot checks have promoted awareness by the national parliaments and allowed COSAC to act as an effective platform for mutual coordination. The parliamentary proceedings have become more transparent. We do not want to lose this achievement. Rather, it should be turned into standing practice of coordinated exchange of views of national parliaments scrutinizing especially remarkable legislative proposals of the EU.

We call upon COSAC to build upon past years' experience, consider turning the annual pilot exercises of joint subsidiarity checks into standing practice and by this means use COSAC as one effective tool to coordinate national parliaments' subsidiarity control. Annually, national parliaments should be invited to hand in their suggestions for legislative proposals to be submitted to joint exchange of views on their conformity with subsidiarity principle.

We kindly ask the COSAC Presidency, in cooperation with the incoming Spanish Presidency, to bring this letter to the attention of the Members of COSAC and discuss it during the next meetings in 2010.

Yours sincerely,

Darja Lavtižar Bebler  
Chair of the Committee for EU Affairs  
National Assembly of Slovenia

Hubert Haenel  
Chair of the Committee on European Affairs  
Senate of the French Republic

Kateřina Jacques  
Chair of the European Affairs Committee  
House of Deputies of the Parliament of Czech  
Republic

Gunther Krichbaum  
Chair of the Committee on the Affairs of the  
European Union  
Bundestag

Luděk Sefzig  
Chair of the EU-Affairs Committee  
Senate of the Parliament of the Czech Republic

Milan Urbáni  
Chair of the Committee on European Affairs  
National Council of the Slovak Republic

Harm Evert Waalkens  
Chair of the Standing Committee on European  
Affairs  
House of Representatives of the States General of  
the Netherlands

Edmund Wittbrodt  
Chair of the European Union Affairs Committee  
Senate of the Republic of Poland