

MINUTES OF THE MEETING OF THE PRESIDENTIAL TROIKA OF COSAC
Stockholm, 5 July 2009

PRESENT AT THE MEETING:

IN THE CHAIR: Ms Anna KINBERG BATRA (*Riksdag*, Sweden)
Ms Susanne EBERSTEIN (*Riksdag*, Sweden), Mr Luděk SEFZIG (*Senát*, Czech Republic),
Ms Kateřina JACQUES (*Poslanecká sněmovna*, Czech Republic), Mr Miguel ARIAS
CAÑETE (*Cortes Generales*, Spain), Mr Jo LEINEN (European Parliament).

AGENDA:

1. Opening of the proceedings and adoption of the agenda of the Troika Meeting
2. Adoption of the draft agenda of the Chairpersons' Meeting
3. Debate and adoption of the draft agenda for the XLII COSAC Meeting – Invitation of special guests
4. Adoption of the Outline of the 12th Bi-annual Report
5. Subsidiarity checks – update
6. Co-financing of the permanent member of the COSAC Secretariat and the costs of running the COSAC office and website and the appointment of the permanent member
7. Letters received by the Presidency
8. AOB

PROCEEDINGS:

1. Opening of the proceedings and adoption of the agenda of the Troika Meeting

The meeting was chaired by Ms Anna KINBERG BATRA, Chairperson of the Committee on European Union Affairs of the Swedish *Riksdag*, who welcomed the delegations and presented the agenda of the meeting of the Presidential Troika of COSAC (henceforth "the Troika").

The agenda was unanimously adopted as set out above.

2. Adoption of the draft agenda of the COSAC Chairpersons' Meeting

Ms Anna KINBERG BATRA outlined the agenda of the Meeting of the COSAC Chairpersons. The draft agenda was unanimously approved as proposed by the Presidency.

3. Debate and adoption of the draft agenda for the XLII COSAC Meeting

Ms Anna KINBERG BATRA presented the draft agenda of the XLII COSAC Meeting, to be held on 4-6 October 2009 in Stockholm.

- Invitation of special guests to the XLII COSAC Meeting

Referring to the practice of previous Presidencies and to Article 4.3 of the Rules of Procedure of COSAC, Ms Anna KINBERG BATRA announced the intention of the Swedish Presidency to invite representatives of the Parliaments of Norway and Iceland as special guests because of the close link of these countries to the topics on the draft agenda of the XLII COSAC Meeting.

The Troika approved the draft agenda of the XLII COSAC Meeting and supported the intention of the Presidency to invite special guests from the Parliaments of Iceland and Norway.

4. Adoption of the Outline of the 12th Bi-annual Report

Ms Anna KINBERG BATRA presented the draft outline of the 12th Bi-annual Report. The Chairperson reminded the Troika of a letter from Mr Svend AUKEN, Chairman of the European Affairs Committee of the Danish *Folketing*, in which he requested to examine more closely in the next Bi-annual Report of COSAC the different practises in national parliaments regarding their access to Council documents received from governments.

Ms Anna KINBERG BATRA noted that this request went somewhat beyond the initial focus of the 12th Bi-annual Report. It covered, however, an interesting aspect and she suggested reflecting it in the questionnaire for the Bi-annual Report. The Troika approved the draft outline as proposed by the Presidency.

5. Subsidiarity checks – update

Ms Anna KINBERG BATRA gave an up-date concerning the COSAC-coordinated subsidiarity checks. There are two pending proposals, which were selected for subsidiarity checks and should be handled as soon as they are published.

First, *the Proposal for a Regulation of the European Parliament and of the Council on the applicable law, jurisdiction, recognition of decisions and administrative measures in the area of successions and wills*, whose adoption by the Commission was postponed several times and is foreseen for 14 October 2009.

Second, *the Proposal for a Framework Decision on procedural rights in criminal proceedings*, which should be adopted by the Commission on 8 July 2009.

Given that timing, the subsidiarity check on the *Proposal for a Framework Decision on procedural rights in criminal proceedings* could be carried out before the XLII COSAC and its result could be discussed at the XLII COSAC meeting based on a report written by the COSAC Secretariat. To achieve that it would be necessary to carry out the subsidiarity check within eight weeks from the publication of the last language version, regardless of summer recess in national parliaments and in line with the provisions of the Treaty of Lisbon.

Ms Anna KINBERG BATRA stated that the eight-week deadline running during the summer months could pose serious problems to some parliaments. She recalled an informal commitment from the European Commission to disregard the four weeks of August in counting the eight-week deadline for national parliaments to deliver their reasoned opinions. She concluded that opting for the eight plus four weeks deadline would make it impossible to discuss the results of the subsidiarity check at the XLII COSAC in October as it would be impossible for the COSAC Secretariat to finalise the Report on time.

After an exchange of views with other members of the Troika, Ms Anna KINBERG BATRA asked the COSAC Secretariat to carry out an informal survey of the opinions of the COSAC

delegations and concluded that the decision should be kept open until the Chairpersons' Meeting the following day.

6. Co-financing of the permanent member of the COSAC Secretariat and the costs of running the COSAC office and website and the appointment of the permanent member

Ms Anna KINBERG BATRA introduced the proposals of the Swedish Presidency laid down in the Note on co-financing of the permanent member of the COSAC Secretariat and the costs of running the office and website of COSAC and the appointment of the permanent member: to continue the present co-financing scheme until 31 December 2011, to invite national parliaments to send to the COSAC Presidency in office a letter of intent, indicating their willingness to participate in the co-financing scheme until 31 December 2011, to appoint the permanent member of the COSAC Secretariat for the next term of office at the XLII COSAC in Stockholm, and to coordinate the term of office of the permanent member with the co-financing scheme.

The Troika supported the Presidency proposal.

7. Letters received by the Presidency

Ms Anna KINBERG BATRA presented three letters received by the Presidency.

In his letter Mr Milan URBÁNI, the Chairman of the Committee on European Affairs of the Slovakian *Národná rada*, suggested restricting the number of substantial points and giving more time for the discussions so that the results of the COSAC meetings could be more detailed and concrete. Ms Anna KINBERG BATRA noted that all delegations wishing to intervene should be able to do so and that Mr URBÁNI's suggestion in that sense goes along with the general intention of the Swedish Presidency.

The proposal stemming from the letter of Mr Svend AUKEN, the Chairman of the Committee on European Affairs of the Danish *Folketing*, had already been presented before, under the topic of the 12th Bi-annual Report, and had been accepted.

In his letter Mr Česlovas Vytautas STANKEVIČIUS, the Chairman of the Committee on European Affairs of the Lithuanian *Seimas*, proposed the exchange of views within the COSAC on the modalities of the establishment of the EURONEST Parliamentary Assembly. In relation to this request, Ms Anna KINBERG BATRA referred to a specific meeting organised by the Committee on Foreign Affairs of the Swedish *Riksdag* on the parliamentary dimension to the Eastern Partnership which will take place on 21 October 2009 in Stockholm. The Troika had understanding for the initiative of Mr STANKEVIČIUS in general but proposed to wait for the results of the October interparliamentary meeting before coming back to this topic in COSAC.

8. AOB

Ms Anna KINBERG BATRA recalled the 20th anniversary of the COSAC, which the Swedish Presidency would like to celebrate in an appropriate way during the XLII COSAC Meeting in Stockholm.

Mr Miguel ARIAS CAÑETE, the Chairman of the Joint Committee on European Union Affairs of the Spanish *Cortes Generales*, informed the Troika that the dates of the COSAC meetings under the Spanish Presidency were as follows: the Meeting of the COSAC Chairpersons will take place on 4 - 5 February 2010 and the XLIII COSAC Meeting on 30 May - 1 June 2010.