

Minutes of the Meeting of the Presidential Troika of COSAC
Assembleia da República, Lisbon - 14 October 2007

PRESENT AT THE MEETING

Mr. Vitalino Canas (*Assembleia da República*, Portugal), Mr. Anton Kokalj (*Drzani Zbor*, Slovenia), Mr. Vincenc Otoničar (*Drzavni Svet Republike*, Slovenia), Mr. Gunter Krichbaum and Mr. Kurt Bodewig (*Bundestag*, Germany), Mr. Edward McMillan-Scott and Mrs. Martine Roure (European Parliament). Excused: Mr. Willi Stächele (*Bundesrat*, Germany)

AGENDA

- 1. Opening of the proceedings and adoption of the agenda of the Troika meeting*
- 2. Debate and adoption of the Agenda of the XXXVIII COSAC meeting*
- 3. 8th Biannual Report*
- 4. Amendment of the COSAC Rules of Procedure*
- 5. Troika proposal for the appointment of the Permanent Member of the COSAC Secretariat for the period 2008-2010*
- 6. Co-Financing of the Permanent Member of the Secretariat: state of play*
- 7. Subsidiarity and Proportionality Check about the Council Framework Decision on Combating Terrorism - follow-up*
- 8. Contribution and Conclusions of the XXXVIII COSAC, Estoril*
- 9. Any Other Business*

PROCEEDINGS OF THE SITTING

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

The meeting was chaired by the Chairman of the European Affairs Committee of the Assembleia da República, Mr. Vitalino Canas, who welcomed the delegations.

The agenda of the Troika meeting was presented by the chair and adopted as above.

2. Debate and Adoption of the Agenda of the XXXVIII COSAC Meeting

Mr. Canas outlined the agenda of the XXXVIII COSAC meeting in Estoril and announced that the Minister of Foreign Affairs of the Kingdom of Morocco would be unable to attend the meeting. This might therefore leave more time for the exchange of views with the three Representatives of the European Parliament (EP) at the IGC on the morning of 16 October. Mr. Canas underlined the historical moment in which this COSAC was going to take place, i.e. on the same week as the Informal Meeting of Heads of State and Government that might approve the Reform Treaty. COSAC should therefore take the opportunity to have an in-depth debate on this issue.

Mr Bodewig announced that he was going to raise the issue of the definition of the time frame for future subsidiarity checks under the "Protocol on the Application of the Principles of Subsidiarity and Proportionality" as attached to the Reform Treaty in the form of a question to Commission President Barroso.

The draft agenda was unanimously adopted by the Troika.

3. 8th Biannual Report

The Chair introduced the 8th COSAC biannual report and thanked the COSAC Secretariat for their work in preparing this document, which was a very important instrument and provided Parliaments with updated information about each other. He stressed the relevance of the subjects analysed in this report and the fact that all Parliaments had replied to the questionnaire.

The 8th biannual report was adopted by the Troika.

4. Amendment of the COSAC Rules of Procedure

The Chair thanked the Troika for the support and efforts made in finding a consensus to amend the COSAC Rules of Procedure in order to enshrine the COSAC Secretariat and its permanent member therein.

Mr. Canas reminded the meeting that the proposal which the Troika would submit for the approval of the XXXVIII COSAC addressed not only the issues about which a consensus had already been achieved during the XXXVII Berlin COSAC, but also some doubts that were raised afterwards, namely by the EP with regard to the term of office of its official in the Secretariat. In this context, he thanked the contributions made by the Troika regarding this point and welcomed the compromise made by the EP to nominate its new representative in the COSAC Secretariat until the end of 2007.

The Troika proposal would be submitted to the COSAC Plenary, and the Chair would request its approval by consensus.

5. Troika proposal for the appointment of the Permanent Member of the COSAC Secretariat for the period 2008-2010

The Chair announced that no candidate to the post of permanent member of the COSAC Secretariat had yet been put forward. Therefore, the Presidency suggested postponing the decision on the appointment of the new permanent member until the COSAC Chairpersons Meeting due to be held in Ljubljana on 18 February. The Presidency and the Troika would continue to call upon Parliaments to put forward suitable candidates until the end of this year.

Therefore, the Presidency proposed the following new wording for the point 3.2 of the Conclusions of the XXXVIII COSAC:

3.2. COSAC notes that the necessary requirements to appoint a permanent member of the COSAC Secretariat at the XXXVIII COSAC Meeting are not fulfilled. This decision should therefore be taken by the Chairpersons Meeting to be held under the Slovenian Presidency.

COSAC notes with gratitude that Ms. Sarita Kaukaoja, while retiring from the post of permanent member on 15 January 2008, has undertaken to ensure the discharge of the post's essential functions pending the appointment of her successor. COSAC invites Member State parliaments to nominate qualified candidates as soon as possible and in any case within 2007, in order that the vacancy may be filled by the COSAC Chairpersons' meeting on 18 February 2008.

The Troika agreed to the Presidency proposal and the Conclusions were changed accordingly

6. Co-Financing of the Permanent Member of the Secretariat: state of play

The Chair announced that 23 letters of intent had already been received. The required threshold (minimum of 14 national Parliaments) to move ahead with the co-financing had thus been achieved. Mr. Bodewig announced that the *Bundestag's* letter of intent was ready to be handed to the Presidency.

7. Subsidiarity Check about the Council Framework Decision on Combating Terrorism - follow-up

Mr. Canas announced that the Commission was due to adopt its proposal on the Council Framework Decision on Combating Terrorism on 6 November 2007 (and not 25 September, as initially foreseen). The subsidiarity check would still take place in 2007 but the evaluation of its results would take place already under the Slovenian Presidency.

8. Contribution and Conclusions of the XXXVIII COSAC, Estoril

The Chair introduced the Draft Contribution and Conclusions of the XXXVIII COSAC, as prepared by the Presidency, and thanked the Troika for its cooperation. Some amendments were put forward before the Troika meeting, namely by the EP, the German delegation and the Czech Senate. Since no agreement was reached within the Troika with regard to including these amendments before the COSAC Meeting, the Presidency draft would remain unchanged until the Meeting of the Chairpersons for the Preparation of the Draft Contribution and Conclusions. The only exception would be the introduction of a new paragraph 3.2 in the Conclusions, following the decision taken on Point 5 of the Troika meeting.

9. AOB

There was no other business.