

MINUTES OF THE MEETING OF
THE PRESIDENTIAL TROIKA OF COSAC
20 November 2006

PRESENT AT THE MEETING:

Mr Jari Vilén (Finnish Parliament), Chairman; Mr Kurt Bodewig (DE, Bundestag), Mr Werner Fasslabend (AT, Nationalrat), Mr Karl Boden (AT, Bundesrat) and Mr Edward McMillan Scott (European Parliament).

AGENDA:

- 1) Opening and agenda
- 2) Subsidiarity and proportionality check
- 3) Biannual report
- 4) Co-financing of the permanent member of the COSAC Secretariat
- 5) Contribution and conclusions
- 6) Any other business

1. Opening and meeting agenda

Mr. Vilén opened the meeting and welcomed the delegations to the Troika meeting. He introduced the topics on the agenda: subsidiarity and proportionality check, 6th biannual report, co-financing of the COSAC Secretariat and finally COSAC's conclusions and contribution of the meeting.

2. Subsidiarity and proportionality check

Mr. Vilén introduced the results of the first subsidiarity and proportionality check. The results are included in the report provided by the secretariat. Mr. Vilén made a quick overview of the findings:

The answers to the biannual report concerning subsidiarity and proportionality checks are showing that the majority of the parliaments believe they are useful.

The great majority of parliaments did not find the Commission proposal on the applicable law in divorce matters in breach of the principles of subsidiarity and proportionality. However, some parliaments found that the Commission did not sufficiently justify the need for the proposed legislation with regard to the legal basis.

The chairpersons also made a decision on the second check on postal services. The results of this check will be on the agenda during the German presidency. After this check, it would be appropriate to evaluate the situation and make a decision on the future cooperation in subsidiarity and proportionality checks in the coming COSAC meeting.

Delegations agreed on this approach. The conclusions reflect the decision.

Mr. Bodewig proposed to concentrate in the future more on the annual policy strategy in the framework of COSAC.

3. Bi-annual report

No delegation asked for the floor concerning the bi-annual report. Presidency will propose to the plenary to take note of it.

4. Co-financing

Mr. Vilén introduced the results of the working group which concluded the work on Friday 17 November. The results of the working group show that all parliaments except Italian chambers accept the idea that the secretariat should continue after 2008 in its current form. The very fact of the existence of the secretariat was not opposed by anybody.

The presidency proposed to have a discussion on the co-financing in the plenary, mentioning that there was no hurry in concluding it however. The decision should be taken before end of 2007. Proposed interim solution aims to have a coalition of the volunteers; this would allow all countries to put forward a candidate for the post of permanent member in the secretariat for the period starting 2008.

Mr. Bodewig raised the question how many parliaments are needed to change the rules of procedure. The chair confirmed that unanimity would be needed for this decision.

The Presidency's proposal should be understood only as an interim measure, to secure the future and funding of the secretariat in case COSAC doesn't reach a unanimous decision before Lisbon. So far, there are positive indications from 11 of the national parliaments to be willing to contribute. This approach is also reflected in the conclusions.

5) Contribution and conclusions

Contribution

The chair gave short explanation of the structure and content of the draft contribution. Some amendments which arrived before the meeting from parliaments are already included into the original presidency's proposal.

Mr. Bodewig proposed to add into point 2.2 a mentioning that all member states have ratified the European Convention for Human Rights so far.

Conclusions

No changes from the original were proposed. The main elements in the structure are:

1. Points 1 - 5 Subsidiarity check – results of the recent check, concentration on the second check and then evaluation
2. Point 6: direct submitting of the documents from the EC
3. Point 7: concentrating on the Annual Policy Strategy instead of the Legislative and Work Programme of the Commission.

Mr. Vilén proposed to the German presidency to think of inviting the president of the European Commission, Mr. Barroso, to introduce the Annual Policy Strategy at the COSAC meeting in Berlin.

6. Other business

Concerning other agenda points Mr. Vilén mentioned that Mr. Kosatchev was not coming and would be replaced by Mr. Klimov.

Mr. Vilén closed the meeting.