

Meeting of COSAC chairpersons

13 September 2004

**in the Chamber of the House of Representatives
in The Hague, The Netherlands**

REPORT

OPENING SPEECH

given by Mr René **Van der Linden** (Senate, The Netherlands), Chairman

Dear colleagues and friends. On behalf of both chambers of the States-General, I would like to welcome you to The Hague. This is the first meeting under the Dutch EU-Presidency with representatives of European Affairs Committees, in particular our colleague chairpersons of these committees. It is, however, already the third parliamentary meeting held under the Dutch Presidency. At the beginning of July we hosted a very successful Conference of Speakers. Just two weeks ago a meeting of the Committees of Justice took place. Let us hope that our meeting will follow in the footsteps of these two successful conferences.

In the last six months, the European Union has made two major steps. On 1 May 2004, ten new member states joined the European Union and in June, the European Council approved the new Constitutional Treaty. The challenge now is to win the support of the European citizens, as the new treaty will be subject to a referendum in a number of member states. The new President of the European Commission has even introduced a Commission chat to improve contacts with European citizens. The challenge to enhance the role of parliaments in the integration process and to improve the quality of legislation and policy also lies with the European parliaments, meaning both the newly elected European Parliament and the national parliaments. The national parliaments need to get much more involved in European affairs, now that European policy has in fact become interior policy of the member states.

COSAC is a means to achieve this goal and to join forces. In order to do so, we have to take the next step today and set ourselves the task of deciding on the COSAC-agenda for the meeting in November. During our meetings in Dublin earlier this year, the Dutch delegation already indicated that we value the presence of certain items on the agenda. It seems that COSAC was mentioned during the conference of our parliaments' Speakers in July as well. Of course we will also have to discuss current and new business in relation to the COSAC-agenda.

Contrary to the order of items on the agenda, I would like to start by briefly pointing out the subjects that we, the Dutch delegation, find of consequence and consider of importance for all of us. More than two years ago, the European Convention convened with the ambitious goal to prepare a new treaty for the enlarged European Union. In its 18 months of existence, it has proven that it was indeed possible to do so in a transparent and open process. Since many of us here today were personally involved in that process, as I was myself, I am very pleased that today we finally get to think about the coming into force of this Constitutional Treaty. It will enable us and oblige us to involve the people more closely in Europe. The subsidiarity test will provide us with the opportunity to do so. For the first time in history, national parliaments will formally be involved in the law-making process of the EU. This involvement was badly needed and now that we have realised it, we have the responsibility to work more effectively and to realise more transparency and general input from society in the European law-making and political processes. In the Netherlands, we have set up a joint committee to elaborate the practical implementation of the early-warning mechanism. We would like the outcome of this committee's work to be the starting point for a constructive exchange of views in October.

In relation to the convention and the Constitutional Treaty I would like to draw your attention to two more issues. National parliaments -- who, in some countries, are a crucial partner in the European ratification procedure of the treaty -- have to look at the different procedures and examine what their role can be in the process. The second point regards also my personal involvement. During the Convention I presented a declaration to raise national European awareness. Many parliaments welcomed this declaration and almost one year ago, in Rome, we unanimously decided to support the declaration. In order to bring the declaration into effect, we would like to put it on the agenda of our November meeting officially, so that a formal decision can be taken on it. It gives the national parliaments the possibility to discuss the annual report of the Commission at an early stage and to properly and preliminarily check compliance with the principles of subsidiarity and proportionality.

Besides the subjects regarding our future role in an EU with possibly over 29 member states, we also have to pay attention to the practicalities of a

successful interparliamentary cooperation. Following my opening remarks, we will start our meeting today with some of these practicalities. As we stated in Dublin, hopefully with some force of conviction, we believe that the language regime of COSAC needs to be simplified. Being aware of the outcome of the Conference of Speakers, but also knowing that this is not formally binding on COSAC, we would once more like to discuss the possibilities and future options, not only today, but hopefully in November as well.

In addition to all these potential agenda items for the plenary COSAC meeting, the Dutch delegation wishes to make the following suggestion in case some of the foreseen items will not be placed on the agenda. In 2000, the European Council decided that in 2010 the EU should be the most dynamic, competing and knowledge economy of the world. In a few months, we will be halfway the timeframe set. Unfortunately, the European Council had to decide that the developments are not up to speed. Speaking on behalf of the Dutch parliament, I have to say that we agree with the European Council. Maybe we could and should also use our meeting in November to discuss the progress of the so-called Lisbon strategy.

Finally, I come to the current business of COSAC. We have two matters to discuss under this heading. First of all the position of regional parliaments, which has been on our agenda for over a year now. In Dublin we concluded that no conclusion could be drawn. Hopefully we can reach a conclusion today. The second matter is the biannual report of the COSAC secretariat. Let me once more congratulate the secretariat with its first biannual report. It was warmly welcomed in Dublin. However, six months have passed and we have to decide on the content of the next report. Fortunately, the secretariat was as usual very helpful and a new table of contents will be presented today. The last point I would like to mention briefly in my opening remarks is the request of the delegation of the European Parliament to place the proper and effective functioning of the International Criminal Court on the agenda of today's meeting. This is an important subject, which was taken in on the draft agenda. However, in close consultation with our colleagues from the European Parliament, we decided to postpone this subject.

Dear colleagues, these are the subjects we will be discussing today. Let me conclude by saying that I hope this meeting will pass off as usual in an atmosphere of good fellowship, openness and constructiveness. I wish you a good meeting in every respect.

THE LANGUAGE REGIME

Chairperson:

Ms Sharon **Dijksma** (House of Representatives, The Netherlands)

Introduction

Ladies and Gentlemen. We have come to the first item of today's agenda, the language regime in COSAC. The current COSAC rules of procedure state that simultaneous interpretation is provided from and into all the official languages of the European Union. However, since 1 May, the number of languages to be interpreted under that rule has increased to 20. The question of limiting the number of languages was brought up at the meeting of COSAC-chairpersons held in Dublin in February and at a COSAC-meeting in May. It was also placed on the agenda of the Conference of Secretaries-General held here in The Hague in February and it was extensively deliberated at the Conference of Speakers in July. The reactions to our suggestion to limit the number of languages interpreted from and into during COSAC-meetings were mixed. At the Conference of Speakers, the debate on this subject was lively as well. Nevertheless do we remain convinced that a restrictive language regime would, at least in the long run, serve COSAC well, because it would ensure the efficiency and workability of our meetings. In our view, there are several concrete practical drawbacks to the retention of a full language regime. Firstly, the quality of the interpretation may deteriorate if direct translation from and into some of the languages is not possible any longer, so that translation via a third or even a fourth language is required. Secondly, many existing conference locations will prove to be unsuitable due to the large amount of space needed for the translation booths. Finally, there are sizeable financial consequences to be considered. What exactly a new language regime would come to look like is a matter that needs further contemplation. Any proposal must naturally uphold the right for delegates to speak their own language. Any delegation wanting to bring its own interpreter should therefore be provided with the technical facilities necessary for the interpreters to do their work at the conference venue. The interpretation provided by the host country could, however, be limited as it is

in interparliamentary unions such as the OSCE assembly or the assembly of the Council of Europe. We fully understand that this discussion is a difficult one, especially for the countries that recently regained their identity, which is linked very closely to speaking their mother tongue. Therefore, we would like to emphasise that this initiative is in no way meant to play down the importance of language to national identity or to suggest that we deny our cultural heritage. Nevertheless do we hope that a practical constructive solution can be found to the problems just outlined.

Debate

Mr Herman **De Croo** (House of Representatives, Belgium): Madam chairperson, I thank you for doing me the honour of giving the floor to me first. The reason why I of all people wish to open this debate may be that in my country, everything is translated in parliament. You are no doubt aware of the fact that we have three languages in Belgium, of which two -- Flemish and French -- are spoken all the time. There is no single proposal made in parliament that would not be translated. So, we are used to translations. I understand the problem and wish to make a few remarks. First of all, very large organisations such as the United Nations and all their suborganisations saw themselves compelled to limit the number of languages used. Secondly, in growing organisations such as the European Union, which grew from six to nine, to ten, to twelve, to fifteen, to twenty and will soon grow to twenty-seven or twenty-eight, new member states have always taken their languages with them. Every time a new country acceded, the language of that country was added to the package. Thirdly, when COSAC counted no more than 15 members and we invited ten additional countries, I kept track of the languages used by the ten visiting countries. I did not miss a single meeting and drew up a statistical chart for each time. Being no members but invitees only, these ten countries were not allowed to utilize their own language. The statistics turned out to be quite strange. Of course they must not be taken as a scientific view or as the absolute truth. They merely show an average. Out of ten countries, six used English, two to three used French and one used German. That was more or less the picture out of the ten countries attending the five or six meetings we had with them as invitees. Fourthly, I was here as

Speaker of the Belgian parliament at the Conference of Speakers and my friend Mr Van der Linden pointed out to me that our Hungarian friends are in charge of finding a solution for the language regime problem. They must really be experts on translation in Hungary if they are to find a good solution. My last remark is that inside the European Union, we are inclined to reduce the number of languages in use when dealing with complicated matters, such as patent protection. There is simply no other way to deal with such matters rapidly. If you need translation in 20 languages, you can wait two or three years. By the way, I make a distinction between translation and interpretation. Translation has to remain possible in all our languages, because written documents have to be utilised in our parliaments and we cannot select one language without having the text translated into another. When it comes to interpretation, we saw that the cost of a COSAC conference is almost 250,000 euro, which is an enormous sum. That cost makes it impossible for a small country to host such a conference. If we decide to stick to the current regime, we have to pay for the totally new interpretation structure that needs to be installed in new countries. Otherwise, some of our member countries would never be able to organise a COSAC meeting, which would be unfair. My last suggestion is an alternative to that. We could try to find a system of rotating languages. We pick out five or six languages and declare one of them to be the leading language for the duration of one year. Furthermore, we have the language of the country hosting the meeting and we allow delegations to bring in their own interpreters. Not their translators. We have to be very pragmatic. I have been in parliament for 37 years now and I know that the voters are blind and deaf to keep me in that position that long, but they are realistic as well. Nothing is easier for us than to say I insist on my language, it is a part of my culture, it is a part of democracy. If you say so, you will receive applause and I agree with that. But it will not help, because this type of organisation needs to be pragmatic. So, I suggest that we implement the following four points:

1. translation is provided into all the languages;
2. interpretation is provided into five or six major languages in a rotation system;
3. interpretation is provided from and into the language of the country hosting the meeting;

4. delegations are allowed to bring in their own interpreters, while the technical facilities the interpreters need to do their job are made available by the country hosting the meeting.

The **Chairperson**: Thank you. I am told that we still have a few technical problems with the interpretation. We are not doing this on purpose. It is being worked on, so I hope that the problem will soon be solved.

Mr Giacomo **Stucchi** (Chamber of Deputies, Italy): The accession of ten new member states to the European Union has once again raised the old issue of interpretation. Even the chairmen of our parliamentary organisations raised this issue a few months ago. We must look at this question at two levels. I listened carefully to what Mr De Croo said. There is a technical problem, but there is a political problem as well. It goes without saying that we cannot load onto the shoulders of the host country all the charges and expenses of meetings in which all the member states of the EU participate. But there is also the political question of equality of languages within the EU. We cannot just sweep that under the carpet. Certainly we of all people cannot do so, being the representatives of national parliaments who defend with pride the national characteristics of our countries, linked to the histories of our peoples and to our languages, too. So we have to find a solution which is good for everybody. Even if we were to decide to limit the number of languages and to adopt the language regime of organisations such as the OSCE, we should make it possible for delegations to bring their own interpreters with them in order to facilitate communication. That is the road to take, I believe. In the meantime, we could improve our linguistic preparation. That would already be helpful for a start.

The **Chairperson**: Thank you very much. I would like to emphasise that, regardless of the language regime to be adopted, delegations will always be entitled to bring in their own interpreters, just as host countries will continue to provide for the technical facilities required for interpretation. This principle is not at stake now and I believe that it never will be.

Mr Richard **Horcsik** (Parliament, Hungary): Madam chairperson. We all remember the heated debate we had about the reform of the language regime during the last COSAC meeting, which took place in Dublin in spring. The enlargement is now a fact and the number of official languages within the EU has increased to 20. The COSAC rules of procedure currently state that simultaneous interpretation into the official languages should be provided during meetings. However, the number of possible language combinations makes it self-evident that in technical terms, the system has reached its limits. The Hungarian delegation therefore supports a simplification of the language regime by maintaining the principle of the equality of all the official languages. There should be two or at the most three languages spoken in the meetings and only from and into these languages should interpretation be provided. If a delegation attending a COSAC meeting requires interpretation into its own official language, then it would be the responsibility of that delegation to provide interpreters at its own expense. The host parliament should provide the technical facilities required for the interpretation. I think that this solution would be acceptable for the participants, since it is reasonable, cost-effective and it ensures the quality of communication.

Ms Ana **Palacio** (Cortes Generales, Spain): I have listened with great interest to what has been said by the chair and by all the colleagues who took the floor. I think we should address the basic issues. First of all, the European Union is not an international organisation. Among our greatest assets are plurality and diversity, which implies equal rights for all languages, regardless of their being spoken by many or just by a few people. This is a principle. Then we have to think about what COSAC is and that we have to be efficient. We have to discriminate. There are results from our meetings that have to be taken into account back in our member states and everything that has to be communicated to the member states should be available in all languages. I think that COSAC is to provide the translation, and not the national parliaments. At the same time it is true that we cannot have interpretation into all languages, nor can all internal working documents be translated into all the languages. This would cause the system to collapse rather than allowing us to achieve results efficiently. My third idea is that discrimination is about different treatment in equal cases. I would think that there is just one

language, namely English, that transcends. It is the lingua franca in the world, like it or not. I am representing Spanish, which is an important language in the world as well. If we need to be practical, if we have to be efficient and if at the same time, we have to remain true to our principle of diversity, we should stick to English as language for our working meetings and of course anyone needing or wanting interpretation into the language of his or her member state, can bring their own interpreters along. However, as a matter of fact I think that if we start making a difference and adopt three, four or five working languages, we enter a very slippery area. After all, the truth is that the only language that can claim -- again, I am saying this as a representative of the Spanish language, which is one of the languages spoken by the largest number of people in the world -- it is English that has the status of lingua franca nowadays. Therefore, my proposal is that we adopt English as a working language, with the possibility for anyone to bring their own interpreters to the venue of a meeting, while COSAC provides translation or, the case arising, interpretation when what COSAC is doing has consequences or direct repercussions in our member states.

Lord **Grenfell** (House of Lords, United Kingdom): Coming from a country where English is the native language, I rather hesitate to get up in this debate, particularly after the generous remarks made by Ms Palacio. We do believe that a simplified language regime would help. I am not suggesting that we should reduce it down to just one language, but I do think that it would be helpful if we had a simplification. Those of us who are fortunate enough to find their own language always spoken in COSAC meetings should consider making a financial contribution, wherever COSAC meetings are held, to help those delegates who may need to bring their own interpreters and who do not have the privilege that some countries do. The British delegation has made this offer before and we are happy to make it here again today.

Conclusion

The **Chairperson**: I will now try to draw a conclusion. In July, the Speakers of Parliaments have set up a working group to follow up the debate about the

language regime at future conferences of Speakers. The group was given the task to work out the technicalities of a regime in which the delegations share the responsibility both organisational and financial for ensuring that the languages required are interpreted at conferences. However, COSAC need not necessarily adhere to the conclusions drawn by the Conference of Speakers. We do not have to wait for their conclusions. On the contrary, if we manage to conclude that we have found an acceptable alternative to maintaining the current language regime, we may advise and serve as an example to the Conference of Speakers. I would therefore like to propose to you the following: we put this item on the agenda in November. We will propose an amendment to the current rules of procedure, which will be tabled at our COSAC meeting in November here in The Hague, in order to have a discussion on a more concrete level. The amendment could read as follows. The host country, at any official meeting of COSAC, will provide translation in English, French, German, Italian, Polish and Spanish. Any delegation requiring interpretation into its own language is welcome to bring its own interpreter and the host country will be obliged to provide the technical equipment needed to facilitate the additional translation. So, we do not question the fact that everyone here should be able to speak their own language. We only specify what the host country has to offer. The amendment is not about the languages themselves, but about what the host country has to facilitate. Of course, you can always bring your own interpreter and there will be a translation booth available at the COSAC conference venue. If it is possible to amend the rules of procedure in November, then of course we can send out a letter to the Conference of Speakers and to the working group chaired by Ms Szili, informing them of the new COSAC policy.

[The proposal is accepted by acclamation]

REGIONAL LEGISLATIVE ASSEMBLIES WITHIN COSAC

Introduction

The **Chairperson**: The question whether or not members of regional legislative assemblies should be allowed to participate in COSAC meetings was discussed in Athens, in Rome and again in Dublin. All these discussions ended without a clear conclusion, which I believe indicates that we are unable, at least at this stage, to find a compromise acceptable to everyone. Of course we will have a debate on this issue here today, but I would like to propose that we remove the item from the agenda after this meeting. Anyone feeling that there are new developments that need to be put forward will of course be given the floor here. In Dublin it was said that this item should be discussed again in The Hague. I do not want to postpone it until the Luxembourg meeting. So if it is not possible for us to have consensus on a conclusion here today, then I propose that we let the item rest for a few months until we are able to find consensus after all. Otherwise we keep talking about it without making any progress. It is our opinion that in November we should have an agenda on the substance of matters and not about ourselves.

Debate

Mr Herman **De Croo** (House of Representatives, Belgium): I will try to keep my intervention very brief. When you read all the papers on this agenda item, you will find two main tendencies. First of all we have the countries with regional structures. 74 bodies in Europe have what you call legislative competence and you can go up to 400 if you count all of them. Of course, senates are representing local governments, but I believe that there is an additional pressure and that is the reason why I asked the floor. When the subsidiarity process is going to come, in some countries some of the regions will really have some power in the field of subsidiarity. So, we need some kind of representation urgently. You know what our proposals are. Let each country compose its delegation of six members as they wish. If they like to introduce people from local assemblies, let them do so, because in order to

put the finger on the elements of subsidiarity in some countries, as in mine, we need to involve the regions. I believe that this is a very urgent item.

Mr Giacomo **Stucchi** (Chamber of Deputies, Italy): I support the solution presented by Mr De Croo. I think we can find the right solution if we leave all the countries free to put together their own delegation. Everybody has the right to delegate six members. They could be seen as the observers we had in the past, not necessarily as fully-fledged delegates. So, our proposal is to leave every delegation the freedom to include regional representatives in their delegation or not. In some countries, such as Italy, there is a constitutional reform underway. It started under the previous government and should conclude shortly. Real powers will be given to regional assemblies, because these assemblies are entitled to adopt legislation and they have complementary activities to the legislative activity of parliament. The Chamber of Deputies in the Italian parliament is organising an interparliamentary meeting on 16 November and we would like to consider this question in that meeting, because in our country the entire process of constitutional reform must necessarily include the representatives of regional assemblies. That is the opinion at large.

Ms Ana **Palacio** (Cortes Generales, Spain): Speaking about subsidiarity, we have to refer to our constitutional text, to the early-warning procedure. This is the responsibility of the national parliaments. In legal terms you can always do things that are not forbidden, so the national parliaments can ask regional parliaments for their opinion. I honestly think that we have to stick to this idea. The representation within the framework of the constitution is the responsibility of the national parliaments. COSAC should keep representing the national parliaments. Of course, each delegation will have preparatory meetings and follow-up meetings to discuss what was said here, but once we take the floor here, we attend to what is our primary law, and that is the domain of the national parliaments.

Mr Zygmunt **Cybulski** (Senate, Poland): Madam Chairman. We are of the opinion that the regional legislative assemblies should not be involved in COSAC. Our view is based on the following arguments. First, the majority of

EU-member states is unitary. Regional assemblies do not play a role comparable to that of national parliaments. Second, since its establishment, COSAC has been representing the bodies that specialise in EU-matters of the national parliaments of EU-member states. COSAC should not be divided from its initial mission, otherwise it can lose its legitimacy, coherence and focus. Third, the Treaty of Amsterdam and the Draft Constitutional Treaty constituted COSAC and the protocols on the role of the regional parliaments. Fourth, the Committee of Regions is the institution representing the EU-regions in the Union, particularly where it concerns the EU-legislation process. Fifth, the Upper House of the national EU-parliaments should represent the regional legislative assemblies in COSAC. We are not in favour of an EU or Europe of the regions by unequal footing with the states. We see the states as important and valuable actors in the EU.

Mr Jimmy **Hood** (House of Commons, United Kingdom): Madam president, in your opening remarks you indicated that you thought it would be very difficult to get a consensus and I think that you are absolutely right. This is also the position of the UK delegation and certainly the position of the Speaker of the House of Commons. Since I came to COSAC a number of years ago, we have sought to make COSAC do better, to make it concentrate on what it can do and to do that better. Widening it out to regional legislative assemblies would weaken what we are able to do in COSAC. Our number one priority at this conference is to defend the rights of our national parliaments within the European Union. That is our number one priority. Anything we do that distracts from that would weaken our ability to defend the position of our national parliaments. In the United Kingdom we have constitutional reform as well: the Scottish parliament, the Welsh assembly, the Northern Ireland assembly and a devolved London -- and we are firm in our view that we must do within COSAC what we are able to do in defending the range of national parliaments. How assemblies and devolved legislators operate within this system is a matter for the countries and national parliaments concerned.

Conclusions

The **Chairperson**: Now that I have heard these delegates speak, I stick to my conclusion that there is no consensus possible here. There is not even a majority for a new point of view on the regional assemblies. Therefore, I suggest that we agree to disagree on this matter. I suggest that we have no discussion about this item in the COSAC-meeting in November.

[The conclusion by the Chairperson is accepted]

THE SECOND BIENNIAL REPORT OF THE COSAC-SECRETARIAT

The **Chairperson**: At the previous COSAC-meeting in Dublin, we discussed the first report prepared by the secretariat. It covered the period until the end of April 2004. The second report will cover the period since then. The purpose of this report is to update and enhance the national parliaments' working knowledge and understanding of the EU decision-making process. As we all know, the main development in the past months was the finalisation of the Draft Constitutional Treaty.

As you can see in your introductory notes, we propose that the report start with a description of the state of the art of the ratification process, followed by a chapter on the relevant procedures in the treaty involving the national parliaments. A third chapter will be dedicated to the flow of EU documents and information to the national parliaments.

We consider it important to have a comparative overview of databases and documents that are available to the national parliaments and to the public, to secure transparency and traceability.

Finally, we propose a description of the budgetary procedures and of the mechanisms for setting the financial perspective.

[The proposals are accepted by acclamation]

SUBSIDIARITY TEST/EARLY-WARNING MECHANISM

[Chairman: Mr René **Van der Linden**]

Introduction

Dear colleagues, the new application of the subsidiarity test as laid down in the protocol on the role of national parliaments and on the principle of subsidiarity has been thoroughly discussed in our parliament. The discussion took place in a joint committee consisting of members of both the Dutch Senate and House of Representatives. This committee was appointed with the specific task of dealing with this matter and it was the first time in our parliamentary history that a joint committee was set up to face such a task. This may illustrate the importance we attach to the subject. We have the intention to ask one of the chairpersons of the joint committee, Mr Jan Jakob van Dijk, to present the results of the committee to the plenary of COSAC in November. On that occasion, I propose that we discuss the subsidiarity test in three parts. The first part will concern the possible criteria for the subsidiarity test itself and the way of organising the subsidiarity test in the various national parliaments. For the way of organising the subsidiarity test, we could examine and build on the practical suggestions that were made during the Conference of Speakers of the parliaments of EU-member states, which was held in July in The Hague. The second part will concern the way in which the exchange of information between the national parliaments could be organised. We could examine the instruments that can be used to facilitate the information exchange, e.g. the COSAC secretariat or IPEX. Finally, we could discuss the possibility of setting up a pilot project to examine the compliance of an upcoming legislative proposal of the EU with the principle of subsidiarity. Our colleague Mr Haenel suggested a few topics that would be interesting to discuss. I would like to see one of our French colleagues give a short introduction to this item.

I hope you can agree to my proposals and would now like to give the floor to you again.

Debate

Mr Robert **Smolen** (Sejm, Poland): Mr Chairman, ladies and gentlemen. I want to start by stressing that in Poland, we treat the subsidiarity principle as a crucial principle of the European Union. Therefore, we attach great importance to the implementation of that principle. Since 1 May, we have a special law governing the relations between the Council of Ministers and the two chambers of our parliament with respect to EU legislation. For each and every draft position the government intends to present in Brussels, it has to obtain an opinion from parliament. We think that it is a message also on how to express one's opinion under the subsidiarity principle. We already have a special group of lawyers, cooperating with the committee on EU affairs which I am chairing in the Polish Sejm. It serves as a group of pre-researchers. These are lawyers employed by the chancellery of the Sejm whose task it is to look into the legislative proposals and to compare them with the Polish regulations in order to give us an early signal if they see something wrong. Also I have invited a group of especially prestigious Polish lawyers, professors, top lawyers specialised in constitutional law and in European law, to serve as a special high-ranking group of advisors to the committee that I chair. This is also a group of highly specialised persons who might give us advice on that. At the same time, we feel that there is a dire need for close cooperation between national parliaments in that respect. We feel that this is important, but as a new member state we would also like to learn from some of the experiences you may have made earlier. It will be in our interest to engage in an in-depth cooperation. We think that the IPEX-database is a good instrument to that effect and we want to introduce into that database a lot of Polish documents. I intend to submit a motion asking for 500,000 zlotys, that should be solely devoted to the translation of documents that are to be introduced into the database. Also, my suggestion would be that we should always, at each session of both COSAC and the Chairpersons' meetings, discuss as a special item the mechanisms in general, but also the question whether anybody has identified a subsidiarity problem. Even if this would be an empty item, even if we would only hear that nobody encountered any problem, I still think it would be good to have this as an agenda item in order to make us work on that issue on a regular basis.

Mr Jari **Vilén** (Parliament, Finland): Last year a special working group was set up in our parliament, which made the preparations for the community constitution. This working group will finish its work by the beginning of October. The group consists of members from every single parliamentary group in the Finnish parliament, and also from the most important committees dealing with European Union affairs, foreign affairs and constitutional affairs. We found out that every year the Finnish parliament receives from the Commission about 270.000 pages of texts. These are proposals on various issues. More formally, we are dealing with 1100 different proposals. Out of these 1100 proposals, about 750 fall under the subsidiarity principle and are thus supervised by parliament. So there are 750 different proposals sent to our parliament. However, according to the estimates we made on the basis of the work we have done, only about 90 of these are submitted to parliamentary scrutiny. Our parliament has had this task since 1995 when Finland became a member of the EU. We believe our system to be a very functional one. It is something we will be glad to share with you. Therefore, we will be providing our report in various languages, at least in English, Finnish and Swedish. We can already tell you that there will be only minor changes brought to the system in use in the Finnish parliament. The issue mostly is the internal balance within a parliament, which is basically an issue involving the various committees. In our parliament, the players involved are the foreign affairs committee and the EU affairs committee. On a principal level, there will be no major changes brought to the Finnish system, as we do not see a need for these. I think the principle is working well. We believe that the main point is the need to further develop the already existing ad-hoc cooperation. This is the situation in Finland at the moment.

Mr Didier **Quentin** (Assemblée Nationale, France): Mr Chairman. I would like to come back to your introductory remarks. With a view to the debate COSAC intends to hold during its next meeting at the end of November, I would like to make a suggestion and to take up a proposal that you referred to yourself. The proposal comes from Mr Hubert Haenel, the chairman of the Foreign Affairs Committee of the French Senate. This proposal aims at

exchanging our points of view on a clear proposal from the European Union at the next meeting of COSAC on 22 and 23 November. Mr Haenel proposes that there should be a Green Book on the rapprochement, mutual recognition and execution of penal sanctions within the European Union. Respecting the principle of subsidiarity in the criminal field is absolutely essential, because this subject lies at the very heart of the sovereignty of the member states and the specificities of each criminal system on national level, given that each country has its own national cohesion. All these different systems have to be respected. So the necessity for harmonisation of criminal law has to be solidly founded and based on very clear points. The possible negative effects of diversity in this area have to be clearly spelled out in order to justify harmonisation and rapprochement. So we think that it would be very helpful as of our next COSAC-meeting at the end of November to get our points of view clear on this text and to go beyond a purely theoretical debate.

Furthermore and following the same lines, I should like to inform our assembly here today that I have been mandated by the French National Assembly to present to the Assembly by the end of October, in other words prior to our next meeting, a report on the concrete implementation in the French parliament of the entire early-warning mechanism system, which is foreseen in the draft European Constitutional Treaty. It seems to me that within the framework of this, it would be very helpful to have an exchange on the ways and means of applying subsidiarity in all the member states. I therefore suggest that we look at subsidiarity via the relevant texts in order to arrive at best practices on this and I hope that you will agree that the first text to be considered is the Green Paper coming from the European Commission on penal codes and penal sanctions.

Mr Herman **De Croo** (House of Representatives, Belgium): This is obviously a fascinating subject and it is of great importance. First of all, let us consider parliaments that have effective scrutiny, we even use the word scrutiny in French quite often. Those that have an early-scrutiny system are at a significant advantage. A number of the founder members of the European Union have grown up with this system. Others, which joined the EU later, have made great use of their accession by demanding for their own parliament the right of prior scrutiny of planned legislation. You will probably

be aware of this study, which has looked at the 15 member states' parliaments and has compared the impact of European politics on their work. I think it would be a good idea to extend that study across the 25 member states of today. This is important, because if you look at what normally happens, we must make sure that we do not have things going off the rails at the European level. Therefore, subsidiarity seems to me to be a very positive feature.

I would furthermore like to draw your attention to a few more practical aspects. I was looking at the excellent COSAC-secretariat report. It is a very long report, but it is excellent. In that report it says that there are 16 countries with a professional delegation in Brussels and Belgium is included in that number. In fact, it has its seat in the very street where you will find the European Parliament. So, if you look at the COSAC staff and the 16 representatives we currently have from 16 out of 25 member states in Brussels, you have got a kind of core team out there. Add to that the team of workers representing the presidencies -- and indeed our Dutch friends have had some people in Brussels doing that work for a short time, when they assumed the Presidency. If you look at that, you can then see which member states' parliaments might have some misgivings. Let us be quite down to earth about this. Let us not try to reinvent the wheel. Let us look at existing powers and existing skills already out there.

As far as the pilot project is concerned, I think that this is the best way of proceeding, because it is like learning to walk. You just have to keep doing it until you know how it is done. It is called learning by doing. We want to get in touch with the various provinces. In Belgium, we need to get in touch with three regions. It is fairly simple, given that it is a small country. However, in some countries, six weeks is too short a time. In my opinion, we should think in terms of doubling that period. So, Mr Chairman, let us have a trial period in which we can make use of what we have already got in Brussels as far as possible. It is very likely that those eight or nine countries that still have no standing parliamentary representative in Brussels will soon have one. Let us extend the deadline. After all, there are internal debates to be held, which differ from country to country, depending on the internal structure. We will then be able to come up very quickly with some real proposals, but I do not think that simply sending out facts and figures by e-mail is going to be terribly

useful. If we do not explain why one member state wants to use subsidiarity while another one does not, it is not going to get us very far. Let me just give you one example, the simplifying of the Directive on the safe loading and unloading at seaports. At first glance, that may not seem to be a terribly controversial issue. However, it has a tremendous impact, particularly in Belgium, where you have got the Flemish authorities running the port of Antwerp. So here we could have subsidiarity coming down below the national level to the regional level. How on earth can you hope to resolve an issue like that in six weeks? You get in touch with the regional parliaments, they have their own procedures for coming up with decisions. Then we go on to the national parliaments and try and get at least 20 votes out of 50, which is what you need. I think that taking a down to earth view of this, we could have a pilot project using the human resources that are already clustered around the European Parliament in Brussels. That could enable us to move forward in a practical manner towards this important decision.

Ms Charlotte **Antonsen** (Folketinget, Denmark): I would first like to thank you for putting this subject on the agenda. In my opinion it is very important for the meeting in November as well. The subsidiarity test is part of the treaty, so we will have to look at how to deal with it in practice. As my colleague from Belgium just said, there are some complications because we do not have much time to look into subsidiarity. To start with, I think it very important that we get a picture of what we are talking about exactly. We just heard from our Finnish colleague that some 700 proposals fell under the subsidiarity principle, while in Denmark we could only find 300 in 2002. Out of those 300, 100 may require more scrutiny to find out whether or not they actually fall under the subsidiarity category. I would therefore like to propose here that we let our new COSAC-secretariat look into the figures, in order to obtain a general picture of what we are talking about before the next meeting. What are the numbers exactly? Of course we cannot foresee the future, but we can look a bit more closely at what has happened so far. We received a very good report from the COSAC-secretariat half a year ago about what the national parliaments are going to do with their procedures. I would also like that report to be updated, because I know that lots of countries have improved their work on this question. Maybe we could arrange for the

secretariat to update the report by November, telling us what the situation is in the different countries.

As for the question how much time we have got, I think that, according to the treaty, we have a maximum of six weeks. We have to deal with that fact. An open question is when exactly the six-week period starts. After all, in some of the countries the translation becomes available a couple of weeks later than the proposal itself. It is therefore very important to find out when exactly the six-week period starts. Once we know that, we must impose on ourselves a procedure allowing us to finish within five weeks. I do not know if we should just send out e-mails. In my opinion, it would be a good thing if the COSAC-secretariat were to propose a procedure we could use to learn from each others' good ideas about what to do when we find a subsidiarity problem. I hope we will be better prepared, but I think that it is very important indeed to have this subject tabled next time.

Mr Mario **Greco** (Senate, Italy): I would like to make a proposal. This item on our agenda clearly has to be linked to the second item on the agenda. Let me explain why I think this. With respect to the first topic, I would like to underscore that in our prior debates on this item, there was a rather contrasting attitude to the creation of ad-hoc structures with the task of studying problems such as subsidiarity, proportionality, parliamentary monitoring and others. Ad-hoc working groups would be dealing with these questions without being in any way subject to a political investiture. This would contrast with the principles of each parliament in terms of sensitivity. It was because of this that the Italian delegation -- as did other delegations -- felt that it should support a proposal to promote a parliamentary system based on a flexible structure, involving the citizens and of course providing a useful exchange of information in order to avoid the democratic deficit of which we hear so much. In order to circulate and disseminate this information we need to dispel any idea about unholy alliances set up between different parties, especially if they build on some anti-European basis.

With respect to preparatory COSAC-meetings, I think that we should develop all we can without constraining the possibilities of countries that lack experience in this field. They should be able to use the best practices from other countries, which of course made greater advances in this. I am

referring to Northern European countries, which have considerable experience in this area.

An effective instrument to ensure the circulation of information and interparliamentary cooperation is in my opinion guaranteed by the proposal you yourself have mentioned, Mr Van der Linden. It was signed by you, by your colleague Mr Timmermans and by 50 MPs and it was put forward during work that was carried out by the Convention. The document has been adopted in a summary fashion. In the final document of the 30th COSAC-meeting in Rome under point 4 of the COSAC-document, it is expressed that greater coordination is desirable in the European debate in all European parliaments, including the European Parliament itself. Simultaneous debate should be held on the legislative work being undertaken by the Commission and on major themes. I suggest that we link both points to the agenda. We should take on board the activity of monitoring subsidiarity and thus the proposal signed by our Chairman.

Lord **Grenfell** (House of Lords, United Kingdom): The committee in the House of Lords is just now launching an enquiry into the whole question of the monitoring of subsidiarity. We have to report certainly by the end of the year, probably earlier than that. We are looking into six areas in particular. First of all, the question how to monitor, secondly the role of regional assemblies, thirdly the procedures within the House of Lords itself, fourthly collaboration with national parliaments; fifthly timing, which is very important and sixthly, also very important, the whole question of judicial review. As our colleague Mario Greco has just said, it will also be very important for us together as national parliaments to try to devise sets of common best practices, to make the system work smoothly. We also have to bear in mind that of course, internal procedures will vary from parliament to parliament. Issues such as whether an objection requires the agreement of the chamber as a whole or whether it can be delegated to a committee such as a European Committee will vary from parliament to parliament. But mentioning the question of whether it should go to the chamber as a whole does raise again the issue of timing. We take the view that six weeks is very, very tight indeed. This brings me to the last point I want to make, which refers to the proposal of our colleague from the Assemblée Nationale de France. I am

familiar with the initiative of senator Haenel, because he did get in touch with me and my committee earlier in the year to see if we could do a sort of pre-pilot project on this very difficult issue of the Green Paper on Approximation, Mutual Recognition and Enforcement of Criminal Sanctions. We found that despite our best efforts, we could not within the timeframe get that information to him. We did, however, within the select committee of the House of Lords, take a very careful look at the Green Paper and we came to the conclusion that we had to question the desirability and utility of this proposal. We urged the government, by letter to the minister responsible, to consider as a preliminary matter whether this initiative should have any encouragement whatsoever. So we have not taken action on that. But I do like very much the idea proposed by our French colleagues that we should take this particular Green Paper -- because it is a very, very important one -- and use it as a subject for a pilot project. We would look forward to collaborating fully with all other national parliaments in that.

Ms Ankie **Broekers-Knol** (Senate, The Netherlands): COSAC is a very important body for the cooperation between the national parliaments. Which role could COSAC play in view of the subsidiarity check or early-warning mechanism? It is our view that COSAC is the body par excellence where the representatives of the national parliaments can evaluate the early-warning mechanism, where they can get information, where they can exchange views on best practices and where they can discuss how to organise a better working system if necessary. We do not think that questions of subsidiarity concerning specific legislation should be discussed in COSAC. That would be virtually impossible, considering the fact that COSAC meets only twice a year. COSAC should not become a body for national parliaments to gang up against the European Commission. We must realise that the early-warning mechanism, when it leads to a red card of one third of the national parliaments, obliges the European Commission to reconsider its proposal, no more and no less. In order for the national parliaments to be taken seriously on the early-warning mechanism, the national parliaments should show a wise self-restraint. Only then will the European Commission reconsider seriously. Otherwise the early-warning mechanism threatens to become a ritual dance. Only if the national parliaments give good and sound arguments

for the red card will the European Commission do its job and also give serious thought and consideration to the matter. IPEX is a potentially important medium for the national parliaments to communicate in a fast and easy way. It is also the medium through which the national parliaments can be informed of the views of the other national parliaments. Things must not be left to the six-week period. Communication should take place at a much earlier stage. I refer to the proposal-Van der Linden/Timmermans to discuss the legislative programme of the European Commission in the same week in all national parliaments. In the Dutch situation, we hope that the early-warning mechanism will lead to more awareness in standing committees on ongoing European legislation, not only on the subject of subsidiarity but also on the subject of proportionality. It is important to discuss these matters coming November at the COSAC-meeting.

Mr Sotirios **Hatzigakis** (Parliament, Greece): The Constitutional Treaty introduces many responsibilities for the national parliaments. This also creates the need to establish new structures and procedures for a closer collaboration in their parallel functioning. The time limit of six weeks, within which each national parliament has to send its opinion to the European Commission, the Council of Ministers and the European Parliament, requires the establishment of a proper organisational environment. The organisation is of primary importance, since it is the only way to respect the timetable that has been set by the Constitutional Treaty. There are many matters that have to be discussed. As for the opinion of the national parliaments on the legislative proposal of the European Commission, the first question that has to be answered is: who will be authorized to formulate such an opinion according to the national constitutions? Is it the European Affairs Committee, the standing committee or the plenum? It is correctly noted that the plenum is not a flexible forum, for its functioning requires time. Therefore this task could be assigned to the European Affairs Committee, the permanent committees, or to both. In case both are authorised, there could be a problem of communication and coordination between the participating bodies. It may be necessary to take supplementary initiatives on a national level, e.g. by creating a flexible permanent body in every parliament that could be called subsidiarity committee and that would have a coordinating task. We are now

examining the possibility of setting up a sub-committee of the European Affairs Committee. The composition of this sub-committee would change according to the issue that it is asked to deal with. In order to meet the requirement of one third, national parliaments have to adopt similar decision-making procedures. In this way, the exchange of information, the coordination and eventually the adoption of a common position would become easier. We are so fortunate as to have already a common field of action, COSAC, which after an effort of many years offers a basic structure: function, regulation, secretariat, website, experience of studying the functioning of committees at the Community level etc. We should take advantage of this structure and implement it. However, it is not only important to exchange information, but also to examine and understand the positions that are expected to be adopted. It is therefore crucial that more chairpersons meetings as well as meetings of European Affairs Committees and COSAC meetings are planned, in order to deal with the difficulties rising from the Constitutional Treaty. I believe that new ways of communication should be established, e.g. between the chairpersons of subsidiarity committees, should these indeed be created. An important issue that can arise if the one-third requirement is met, is the dialogue with the European Commission. If the chairpersons conference would eventually undertake the negotiations with the European Commission, the same body would introduce the position of national parliaments if the European Commission persists in its opinion.

I also mention the importance of raising national European awareness, which was initiated by you, Mr Chairman. We agree that it would facilitate the efficient testing of the subsidiarity principle if all national parliaments discussed the European Commission's annual legislative programme in the same week. At the same time, a need will emerge for a closer cooperation in the treatment of major European matters such as immigration, taxation, social policy, especially in the context of the Lisbon-strategy. Finally, of key importance is better communication with citizens, which will result in a bigger participation and in the extra support we need so much, especially now that the ratification process is initiated.

Ms Ana **Palacio** (Cortes Generales, Spain): I think that we all agree that we are presented with a tremendous opportunity and a tremendous

responsibility, involving a lot of quite technical components. Although they are technical, they are very important. There are also some political aspects to start off with the technical side of things. Our Danish friends mentioned the six-week issue. It seems to me that it is set out in the treaty because we have to get a declaration on national parliaments viewed in tandem with the solidarity declaration. In the declaration on national parliaments, it says quite clearly that the time period starts when the translated version of the proposed piece of legislation becomes available. It seems to me that the COSAC presidency secretariat has a lot to do here. We need guidelines for joint interpretation or guidelines on communication, but these can only deal with specific aspects where the various national organisations are not involved. In other words: it all depends of our national organisations, because it goes without saying that every national parliament has its own internal structure and indeed that is one of the clear upshots of the whole subsidiarity idea. So in my opinion, we have to think of COSAC or the presidency secretariat as having an important role to play here, e.g. we need to agree and fight for the idea that the time period does not start until the proposal is available in every language.

Apart from these practical aspects, there are also a few very significant political aspects. Our Italian friend and our Greek friend, our French friend and other speakers have all given us different ideas to take on board when we look at the political aspect of this. And here, to be quite honest, I think we have some thinking to do. The subsidiarity issue is a symptom. It is a symptom of a feeling of unease across the whole of the European public. People feel uneasy because they do not know what they are involved in. I think that we face a task of education and here we have something to say. We need to reassure the public that in maybe 60 legislative initiatives, parliament has no objection on the grounds of subsidiarity. That kind of fact we could be putting across. But there is more we can do than that. It seems to me that we should be looking at some pilot-project ideas as you have already heard, about considering the Green Paper on e.g. harmonisation of penal sentencing. Here we might see that six weeks is not going to be sufficient and that is a matter for negotiation with the Commission. How is the Commission going to take account of national parliaments in its papers which are not legislative papers? In other words

they are pre-legislative, they are upstream of the legislative phase. How is the Commission going to take account of national parliaments in the case of green papers or discussion papers? Here COSAC has some work to do. What would be wrong with having a special COSAC meeting -- the public would understand why -- to deal with this specific question? After all, if the idea is that all national parliaments should look at each issue at the same time, it will be very difficult to get anything up and running. Consultations would also have a fairly low profile, which would be different if we did it in a COSAC-meeting. I am not saying that we should be meeting at every whim, but we have two regular meetings a year and then we could have ad-hoc meetings to deal with specific topics that are of concern to the general public. This green paper is a very good example of that. The general public is rather concerned at the way -- as they see it -- Europe keeps interfering in what they regard as being the heart of sovereignty, the heart of national identity. Those are two things I just want to leave on the table for consideration.

Conclusions

The **Chairman**: Thank you very much. That may be a way to get Europe closer to the citizens. I think that we have to make sure, much more than in the past, that we are building bridges between Brussels and the European public. That is something we can talk about in November.

Now that everybody who wanted to speak has taken the floor, we can come to a conclusion on this subject. May I first thank all the speakers for sharing their ideas with us. What they said will certainly not go unheard. Having heard what has been said in this discussion, I think we can all agree with my proposal to present the results of the joint committee on the subsidiarity test and to discuss the subsidiarity test in three parts during the plenary COSAC-meeting in November. We will come up with quite concrete proposals, so that we can have a vivid discussion based on the experiences made by the national parliament of each individual country.

Furthermore, it is clear that there is broad support for a pilot project. The Presidency will put on the agenda of the plenary COSAC-meeting to be held in November the possibility of setting up a pilot project to examine the

compliance of an upcoming legislative proposal of the European Union with the principle of subsidiarity.

[The proposals made by the Dutch Presidency are accepted by acclamation]

DECLARATION TO RAISE NATIONAL AWARENESS

The **Chairman:** Our next item is the declaration regarding the role of national parliaments in the European integration process. On 9 July 2002, Frans Timmermans and I, in our capacity as representatives of the States-General in the European Convention, presented a declaration to the Presidium of the Convention. This declaration, which is entitled "Raising the National European Awareness" was signed by more than 50 members of the Convention. It has been the agenda of both chambers of our parliament ever since. Therefore, we would like to finish the course that we followed in the last two years by rounding off our initiative at the plenary COSAC-meeting in November. In our covering letter to Giscard d'Estaing we already stated that we would like to see the declaration placed on the COSAC-agenda. Almost one year ago, we happily succeeded in gaining support for the declaration. It was inserted in the conclusions of the Rome-meeting, as mentioned by Mr Greco. However, support is not the same as actual implementation. Our proposal for the meeting in November is to formally adopt the declaration and with that, actually implement the provisions. This means that we will ask our speakers from the national parliaments and the speaker of the European Parliament three things. First, to officially decide to have each year a debate in the national parliaments on the annual legislative working programme of the European Commission. Second, we will ask our speakers to decide to have this debate in all the national parliaments and in the European Parliament in exactly the same week. Third, we will ask them to decide, at the first conference of Speakers held each year and in consultation with the European Parliament, in which specific week these debates will be held. Putting this initiative in practice by making it a formal decision of all the European Affairs Committees of the parliaments will definitely bring our citizens and civil society, non-governmental organisations and social partners closer to Europe. Hopefully, it will also result in their more direct involvement in European matters. Furthermore, it will encourage our parliament to place European issues on the agenda more prominently. Moreover, it will help us to preliminarily check the compliance with the principles of subsidiarity and proportionality. Today, we propose that we will present to all of you in the forthcoming month a draft letter in which we explain the implementation

process by mentioning the three decisions I referred to earlier. We would like this letter to be on the agenda of the plenary COSAC-meeting in November, so that we can take the formal decision to send the letter to all the Speakers of all our parliaments on behalf of the entire COSAC. Let me conclude by expressing my hope that our European colleagues will help us in keeping to the path that we chose two years ago.

[The proposal is accepted by acclamation]

THE RATIFICATION PROCESS

The **Chairman**: Our colleague Mr Leinen from the European Parliament requested to add to the agenda the item of a debate on the ratification process of the draft treaty establishing a constitution for Europe. He indicated that he would like to focus on a communication strategy and on a potential coordinated schedule. May I take a lead in proposing that we incorporate this subject in the bi-annual report that will be drawn up by the COSAC-secretariat? I think the subject should be treated there. Furthermore, I think that this subject requires a thorough discussion, but I am afraid that we lack time in the plenary COSAC-meeting, given the other agenda items we will have to discuss. It is indeed a very important issue and it is essential that we get an exchange of information through the report, so that everybody can take advantage in their own parliament of the knowledge about how other colleagues handle this important issue in their national parliaments.

[The proposal is accepted by acclamation]

THE LISBON AGENDA

[Chairperson: Ms Sharon **Dijk**ma
(House of Representatives, The Netherlands)]

Introduction

The **Chairperson**: In March 2000 the European Council in Lisbon set out a ten-year strategy to make the EU the world's most dynamic and competitive economy. Under that strategy, a stronger economy will drive job creation alongside social and environmental policies that ensure sustainable development and social inclusion.

The Union set itself ambitious goals in March 2000. Four years later, the picture is a mixed one. No real progress has been made and the European Council of March 2004 reaffirmed that the process and goals remain valid. However, the pace of reform needs to be significantly stepped up if the 2010 targets are to be achieved.

At the Spring Council of 2004, the European Council invited the European Commission to establish a high-level group headed by Mr Wim Kok, to carry out an independent review to contribute to the mid-term review, which will be discussed during the European Council in the spring of 2005. This high-level group's report must be submitted to the Commission before 1 November. In this respect the preparations of the evaluation of the Lisbon strategy will be part of the agenda of the Dutch Presidency. The Lisbon strategy could therefore be an interesting topic for discussion at the plenary COSAC-meeting on 22 and 23 November. We invited our Minister of Economic Affairs, Mr Laurens Jan Brinkhorst, to hold a presentation on this subject and to participate in the discussion.

Today, we would like to discuss some suggestions to make real progress on this item. Anyone talking about the Lisbon strategy underlines how important this is. However, let us stop talking and start walking. I invite you to come up with suggestions. We could specifically discuss the report drawn up by our former Prime Minister Wim Kok.

Let us now have a lively discussion on the Lisbon strategy.

Cornelis Lammert van d..., 29/10/04 17:46
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Debate

Mr Werner **Fasslabend** (National Council, Austria): As you stated, madam Chairperson, the Lisbon goal is a very ambitious one: making the European Union the most dynamic and competitive actor in the world. You also referred to a mid-term review in 2005. I think that the most important decision will probably have to be taken earlier. I am referring to the next enlargement of the Union, especially the accession of Turkey. It is my opinion that, in order to realise the Lisbon strategy and to reach its goals, the emphasis should be on changing the focus in our policy from agricultural to industrial targets, and especially on research and development. But how can we pursue the Lisbon strategy and achieve its goals, if in the next twenty years most of the money will not be spent on research and development, but on agriculture? I mean this: in Turkey, there are more than twice as many farmers as in the whole European Union. It is pointless to discuss which country is able and ready to spend some more on research and development. I think that the accession of Turkey is such an important issue that it should be discussed within the context of the Lisbon agenda.

Cornelis Lammert van d..., 29/10/04 17:51
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Mr Peter **Saramo** (Parliament, Finland): I believe the Lisbon agenda to be one of the most crucial topics for the whole European Union. The Lisbon strategy is the litmus test for the European Union. How successful will we be and what will happen to us? Therefore, I would like to suggest that we decide on the introduction of periodical progress reports with regard to the Lisbon agenda. Could the UK, for instance, provide a report during their Presidency? I can already promise you that during the Finnish Presidency, in the second half of 2006, we will produce such a report, if the members of COSAC would appreciate that.

Mr Robert **Smolen** (Sejm, Poland): We attribute great importance to the Lisbon strategy. There is a strong belief in Poland that Europe can become a dynamically developing economic area. When joining the European Union, we strongly took this consideration into account. In the economic area of the

European Union we should guarantee a deregulated mechanism and take a relatively liberal approach. I strongly support the idea to discuss the matter at the upcoming COSAC meeting and to continue the debate at forthcoming meetings, both the meetings of the chairpersons and the plenary ones. I repeat that we should also discuss the issue of deregulating the system and guaranteeing the use of liberal economic instruments within that system, including the question of taxation. In Poland there is a strong view that the entrepreneurs and businesses know best how to organise their own economic activity. They will find the appropriate place to carry out their activities. Governments should not introduce such mechanisms as, for instance, harmonisation of taxation, for that would hamper the businessmen in taking their own decisions.

Mr Herman **de Croo** (House of Representatives, Belgium): I would like to float a couple of ideas. Firstly, the European Union cannot continue working happily behind closed doors. We seem to think that we are on an isolated vessel, simmering away and cooking up nice things in our cooking pot, but. But that is not the way it works. We have to try and establish a competitive spirit in order to develop our economy. We are part of the world economy and part of world trade. China's economy is developing at a rate of knots. The same goes for India in the near future, and for Brazil. Lots of economies all around the world are growing. I also have to mention East Asia. The great danger for Europe is that it thinks of itself as a vessel isolated from the world. That would be most unwise and alarming.

My second idea is that we are not doing enough in terms of military investment. We have been under America's umbrella since WW II, which has guaranteed us freedom, via NATO, for a very long time. I am sorry to say that we do not appear willing to contribute to an extent that would have any impact on our GDP.

Facing a globalising world, we cannot continue to support our failing companies in the public sector: airlines, postal services and so on. We are going down the wrong road if we are doing that.

I am not suggesting that we should have an ultra free market system. What I would like to point out is that we are not making any financially meaningful contribution to our own defence. Furthermore, we are propping

up some businesses, particularly in the public sector, which in the long term are going to hobble Europe's development and prosperity. We have to realise that in the very near future Europe is going to face extreme competition throughout the world.

Mr Sean **Haughey** (Dail Eireann, Ireland): The Lisbon agenda was also very much a part of the Irish Presidency, both at Council level and at COSAC level. We are very grateful to the Dutch Presidency for continuing to discuss this issue and to see how we can press ahead with this particular agenda. There is no doubt that it is a good agenda. Everybody is in favour of the Lisbon strategy. We are now looking for concrete proposals on how we should advance it further. There is no doubt that economic growth is good for everyone, regardless of what political party one comes from. Economic growth is the basis for further prosperity. In the Irish context we are happy that the European Council has advanced the agenda. In particular at our committee level we have studied this issue in great detail. We believe that continuous investment in education and in research and development are particularly important to achieve the objectives of the Lisbon strategy. I also believe that some member states are doing better at implementing the Lisbon strategy than others. We need to put in place a system of indicators, to see how member states are doing in implementing the strategy. These should be simple indicators, not too bureaucratic.

Lord **Grenfell** (House of Lords, United Kingdom): The British minister for Europe has already said, as long ago as 1 March, that the likely priority for the UK Presidency of the EU in the second half of 2005 would be to drive the Lisbon agenda forward. Frankly, it ought to be the priority of every Presidency, until we got the job done. Britain admits where its shortcomings are on the Lisbon agenda. We saw the Commission's annual report, earlier in 2004. We know where we have done quite well. We have exceeded the 2010 total employment rate target and we have had some other successes, too, such as good performance on the Kyoto target. We are below the 1,5% transposition deficit target set by the internal market directives.

We also know where our shortcomings are. The UK is still not doing well on productivity and we have a disappointing level of gross domestic

expenditure on research and development. All of this has got to get better. Our governments are meant to do what is necessary to put forward the Lisbon agenda. No government can say it does not know what it has to do to achieve that. It is our job here in COSAC to ensure that we are holding our governments to account forgetting that Lisbon agenda pushed forward. Rather than engage in very long debates on what needs to be done under the Lisbon agenda -- I think that all governments know that -- we have to concentrate on how to hold our governments' feet to the fire. The traditional and correct role of COSAC is that we should all be discussing how successful or unsuccessful we are as parliamentarians in making sure that our governments do what they should do.

The **Chairperson**: We all agree that the Lisbon strategy is such an important item that it should be put on the agenda of the plenary COSAC meeting of 22 and 23 November 2004. The Dutch minister of Economic Affairs will be invited to hold a presentation and to take part in the discussions.

I agree with Lord Grenfell, who said that it is our job as parliamentarians to control our governments. In this field, we can learn from each other. Having the right instruments as parliamentarians for pushing the Lisbon agenda forward will be a key issue to be discussed in November. Some suggestions were made during our debate, among others in the field of education and military investment. You are free, of course, to bring new items for discussion in your own presentation in November.

As to the proposal of Mr Fasslabend from Austria, the Dutch Presidency has some hesitation to combine the discussion about the accession of Turkey with that about the Lisbon strategy. I fully realise that, once the EU starts negotiations with Turkey about its accession, that will be a major topic of discussion, but this should not restrain us from talking about our own business. Therefore, we do not think it wise to mix the two subjects.

We will make the appropriate preparations for the plenary COSAC meeting in November. I invite you to draw up a report on how your parliament is doing in implementing the Lisbon agenda, as was suggested in this meeting. These reports will serve as documentation for our discussion.

[The proposals of the Dutch Presidency are accepted by acclamation]

OTHER ISSUES BROUGHT UP FOR DISCUSSION

[Chairman: Mr René **van der Linden** (Senate, The Netherlands)]

The **Chairman**: Dear colleagues, we have now come to the last point of our order of business. Are there any subjects to be tabled by the participants?

Mr Jimmy **Hood** (House of Commons, UK): Our Danish colleague, Mr Claus Larsen-Jensen, e-mailed all the delegations some information on "first reading agreements". The Folketinget Committee have done some investigations into the matter, and they found that between 28 and 39% of these agreements are agreed without parliamentary scrutiny. Combined to what my colleague Lord Grenfell said about what the real purpose of COSAC is, namely to hold our governments to account, I think that COSAC should express some concern about this. I am asking the meeting to consider having this item on the agenda at the November meeting.

The **Chairman**: I did not take note of this e-mail from our colleague from Denmark, so thank you for mentioning it. The Troika will consider your proposal and we will then make a proposal for the next plenary session.

CONCLUSIONS

Ms Sharon **Dijksma**: Dear Colleagues, we have reached the end of our deliberations. I would like to thank you for coming to The Hague to take part in these preparatory discussions. We are ready to make the final arrangements for the plenary COSAC meeting on 22 and 23 November. In the Troika meeting we will discuss the practical arrangements of the agenda, as well as the suggestion made by Mr Hood.

Parliaments do not speak in one tongue and as we have seen during our deliberations it is no easy task to balance the need for a prudent use of public funds with the respect for our cultural heritage as expressed in our different national languages. I am pleased that we have made a step forward as to the language regime at the Conference of Speakers and the COSAC meetings. The likely willingness of the participants to limit the number of languages is a practical solution only. At the same time we should not forget that speaking a language other than our native tongue, limits many of us in expressing our thoughts. Equality of languages will remain the guiding principle. We heard some interesting suggestions and will provide concrete proposals for the COSAC meeting in November in the form of amendments, including the suggestion to introduce a rotation system.

We agreed to disagree on the role of regional parliaments and the item will therefore not be put on the agenda of the plenary COSAC meeting. This gives room for new topics on the agenda.

Subsidiarity will be one of the important issues in the next biannual report of the COSAC secretariat. With its focus on the consequences of the new European Constitution for the national parliaments, it promises to be a useful document. We agreed to have a discussion on the organisational aspects that national parliaments have to take into account before making assessments on subsidiarity, and to exchange information on the ways our respective parliaments will invoke the principle of subsidiarity. We agreed to examine the proposal of experimenting with the subsidiarity test and to discuss the conditions under which such an experiment could take place. In November, we will put forward possible ways to implement the declaration to raise national European awareness.

Faced with a slow economy and in view of the structural demographic changes looming up in the not so distant future, we decided to put the progress on the Lisbon process on the agenda of the next COSAC meeting.

We are looking forward to some interesting deliberations in November. For now, I would like to thank you once again for your participation in this preparatory meeting. Have a safe journey home, and I am looking forward to seeing you all again at the plenary COSAC.

The **Chairman**: I would like to thank Ms Dijksma for drawing these conclusions and I thank all my colleagues for their valuable remarks. It will now be up to the Troika to officially adopt the agenda for our meeting in November. Of course, we all hope to see you and your parliamentary colleagues again on 22 November. We look forward to the plenary meeting and we express our good hope that it will be a constructive gathering, which will yield a productive and positive outcome for the European parliamentary future. I hope that we will also take on the responsibility to convince our fellow citizens of the Constitution for the European Union. In my view, it is important that we have one constitution for more than 450 million people.

Thank you for your attention and have a safe journey home!

[The meeting is closed]