

## CONCLUSIONS OF THE XLIII COSAC

### 1. Evaluation of the subsidiarity checks

- 1.1. COSAC welcomes the result of the coordinated subsidiarity check on the European Commission Proposal for a Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of decisions and authentic instruments in matters of succession and the creation of a European Certificate of Succession.
- 1.2. COSAC notes that an overwhelming majority of participating Parliaments were satisfied with the European Commission's justification of the Proposal with regard to its compliance with the principle of subsidiarity or had no particular comments on the justification.
- 1.3. COSAC recognises the importance of the eight subsidiarity checks conducted up to the entry into force of the Treaty of Lisbon on 1 December 2009, as they have served as an invaluable source of know-how regarding the application of the principle of subsidiarity.
- 1.4. After the entry into force of the Treaty of Lisbon, COSAC believes that the coordinated subsidiarity checks should no longer be a priority for the Conference, although these checks may be conducted on an *ad hoc* basis on the proposal of each Presidency. Nevertheless, COSAC should still focus on issues related to the enhancement of the efficiency of parliamentary scrutiny of EU matters.
- 1.5. In this regard, COSAC urges national Parliaments to intensify their use of IPEX and other forms of cooperation in order to provide mutual information concerning their respective activities and standpoints.

### 2. Bi-annual Report

- 2.1. COSAC welcomes the Thirteenth Bi-annual Report as a valuable source of information regarding the new powers of the national Parliaments after the entry into force of the Treaty of Lisbon and on suggestions regarding the future of COSAC.
- 2.2. COSAC believes that future reports should not be conducted on a regular basis but rather on the active proposal of the Presidency and only regarding COSAC-related issues. The report should aim to identify the issues of importance and/or controversy that will be debated during the ordinary meeting of COSAC.

### 3. The future of COSAC

- 3.1. COSAC recognises that its meetings offer a unique opportunity to share best practice and information with other Parliaments on monitoring the national Governments' European policies; and to hear and question the views of other Parliaments on a range of EU issues. Furthermore, COSAC wishes to underline that in future, discussions on procedures should be avoided, in order to focus on political debates on Europe-wide subjects of common interest to the Committees on EU Affairs. COSAC should invite the President of the European Council, the rotating Presidency of the Council of the European Union and the President of the European Commission, as well

as the High Representative of the European Union for Foreign Affairs and Security policy and relevant Commissioners, as appropriate, to participate in COSAC debates.

- 3.2. As established in the Rules of Procedure, the Agenda for each meeting is drafted by the Chair of the Host Parliament's Committee after consulting with the Troika and the Chairpersons' meeting. However, whenever it should be of interest, a presentation by the President of the European Commission on the Annual Policy Strategy or similar document, could be included on the Agenda.
- 3.3. A debate on specific EU draft legislative acts may be included on the COSAC agenda insofar as these drafts deal with particularly contentious issues that may give rise to a political debate regarding specifically European affairs. At these debates, relevant Members of the European Commission and the European Parliament and the relevant Presidency Minister may be invited to express their opinions.
- 3.4. Taking into account the on-going discussions in the framework of the EU Speakers' Conference, COSAC should reflect on the way new technologies, such as videoconferencing and fora such as IPEX, could be employed and optimised to give effect to Article 10 of Protocol (No 1) on the Role of National Parliaments in the European Union.
- 3.5. The current format of COSAC meetings, including meetings of European political families, is considered adequate and should not be modified. At the proposal of the Presidency, discussion in smaller groups or panel discussions may be considered.
- 3.6. Speaking time should be limited in the Rules of Procedure to no more than 3 minutes, unless the Presidency determines otherwise, in view of specific circumstances. There should be no limitation in the Rules of Procedure as to the number of times each delegation may take the floor, although the Presidency may decide to introduce some limitation in view of the circumstances of each meeting.
- 3.7. Informal exchange of information in advance of meetings, particularly on the views of each parliament on the issues to be debated, is encouraged. The network of Brussels-based staff is an effective way to conduct this exchange. Formal preparation, in the form of questionnaires and summaries circulated by the Secretariat, is also possible at the request of the Presidency.
- 3.8. The Conclusions and Contribution are prepared by each Presidency and agreed at the ordinary meeting in accordance with the Rules of Procedure. However, by way of general guidance, they should be short and deal only with issues discussed in the meeting. COSAC may also ask the Presidency to invite a response to the Contribution from the Commission, Council or European Parliament.