

MINUTES OF THE MEETING OF THE CHAIRPERSONS OF COSAC  
Brussels, 5 July 2010

**AGENDA:**

**1. Opening session**

- **Welcome address** by Mr Armand DE DECKER, Speaker of the Belgian *Sénat*
- **Adoption of the agenda of the meeting of the Chairpersons of COSAC and the draft agenda of the XLIV COSAC meeting**
- **Procedural questions and miscellaneous matters**

**2. Priorities of the Belgian Presidency** – guest speaker: Mr Olivier CHASTEL, State Secretary for European Affairs of Belgium

**3. Relations between national Parliaments and the European Commission** – guest speaker: Mr Maroš ŠEFČOVIČ, Vice-President of the European Commission in charge of Inter-Institutional Relations and Administration

**PROCEEDINGS:**

IN THE CHAIR: Mr Herman DE CROO, Co-Chairperson of the Federal Advisory Committee on European Affairs for the Belgian *Chambre des représentants* and Ms Vanessa MATZ, Co-Chairperson of the Federal Advisory Committee on European Affairs for the Belgian *Sénat*.

**1. Opening session**

The meeting of the Chairpersons of COSAC organized by the Belgian Presidency was held on 5 July 2010 in the hemicycle of the Belgian *Sénat* in Brussels. The opening session was chaired by Mr Herman DE CROO.

- **Welcome address by Mr Armand DE DECKER, Speaker of the Belgian *Sénat***

Mr Armand DE DECKER, Speaker of the Belgian *Sénat*, welcomed the participants of the meeting, noting that for Belgium this was the twelfth Presidency of the EU. The Speaker extended special welcome to the delegation of the Icelandic *Alþingi*, which participated in the meeting of the Chairpersons of COSAC for the first time.

The Speaker informed the Chairpersons that following the elections on 13 June 2010, the Belgian Federal Parliament would be reconstituted between 6 July 2010 (*Chambre des représentants*) and 20 July 2010 (*Sénat*).

Mr Armand DE DECKER announced that during the Belgian Presidency thirteen interparliamentary meetings, including COSAC meetings would be held, along the meetings co-organised with the European Parliament. The Speaker informed the Chairpersons that the

priorities of the Belgian Presidency had been based on the programme of the current Trio Presidency (Spain-Belgium-Hungary), signed on 5 November 2008.

Mr Armand DE DECKER, as the former President of the Assembly of Western European Union (henceforth "WEU"), was particularly interested in the second chapter of the Fourteenth Bi-annual Report of COSAC which will deal with the parliamentary scrutiny of common security and defence policy (henceforth "CSDP"). Moreover that the Conference of Speakers of the EU Parliaments at their meeting on 14-15 May 2010 in Stockholm have asked the incoming Belgian Presidency of the Speakers' Conference to further explore the proposal to schedule regular conferences for parliamentary committees dealing with European affairs, foreign affairs and defence as well as justice and home affairs in cooperation with the European Parliament. In this context, Mr Armand DE DECKER underscored the task for the Belgian Presidency to reach a decision on parliamentary scrutiny of common foreign and security policy (henceforth "CFSP") at the next meeting of the Speakers' Conference in April 2011, considering that one of the main tasks of the national Parliaments is to approve the military budgets of their respective countries. The Speaker underlined that parliamentary scrutiny of CSDP is essential. According to him, a debate on the parliamentary scrutiny of CFSP, including CSDP, during the XLIV COSAC meeting on 25-26 October 2010 in Brussels would be an important contribution towards this goal.

- **Adoption of the agenda of the meeting of the Chairpersons of COSAC and the draft agenda of the XLIV COSAC**

Mr Herman DE CROO thanked the Spanish Presidency of COSAC for the work accomplished during the last six months. The Chairman also noted that in the list of participants of this meeting all participating Parliaments, including those of candidate countries, were listed in alphabetical order to underscore the principles of equality and solidarity. Mr DE CROO also drew attention to the participation of the delegation of the European Parliament which was particularly well represented by its Vice-President Mr Miguel Ángel MARTÍNEZ MARTÍNEZ and by the Chairman of the Committee on Constitutional Affairs Mr Carlo CASINI.

Mr Herman DE CROO invited the Members to adopt the agenda of the meeting of Chairpersons of COSAC. The agenda was adopted as set out above.

Mr Herman DE CROO recalled the decisions taken by the Presidential Troika of COSAC on 4 July 2010 on the draft agenda of the XLIV COSAC meeting and on the draft outline of the Fourteenth Bi-annual Report of COSAC.

Mr Herman DE CROO informed the meeting of the Chairpersons of COSAC that the Belgian Presidency had proposed three items for the agenda of the XLIV COSAC meeting, i.e. "Sustainable development in the Europe 2020 Strategy", "Parliamentary Scrutiny of the Common Security and Defence Policy", and "The Future Role of COSAC - continuation of debate". The debates on the three items would be structured on the basis of the Fourteenth Bi-annual Report to be drafted by the COSAC Secretariat based on the replies to the questionnaire to be sent to national Parliaments and the European Parliament shortly after the Chairpersons' meeting. These items would not be introduced by guest speakers. However, the Belgian Presidency had invited two guest speakers to the XLIV COSAC: Mr Herman VAN ROMPUY, the President of the European Council, (confirmed participation on 26

October 2010) and Mr José Manuel BARROSO, the President of the European Commission (date to be confirmed, on 25 or 26 October 2010).

The draft agenda of the XLIV COSAC meeting was approved as proposed by the Presidential Troika.

- **COSAC Procedural questions and miscellaneous matters**

In an ensuing debate, among others, Mr Pierre LEQUILLER, the Chairman of the Committee on European Affairs of the French *Assemblée nationale*, proposed to add the topic on economic governance on the agenda of the XLIV COSAC meeting. In this context, Mr Miguel Ángel MARTÍNEZ MARTÍNEZ pointed out that talks with the Belgian Presidency on the subject for the next Joint Parliamentary Meeting to be held on 8-9 November 2010, include that of economic governance.

Replying to Mr LEQUILLER, Mr DE CROO stated that the issue of economic governance might not be ripe for the XLIV COSAC meeting in October and suggested to postpone this issue until the Hungarian Presidency in the first semester of 2011.

The Chairpersons of COSAC endorsed the decisions taken by the Presidential Troika of COSAC on the draft agenda of the XLIV COSAC meeting and the outline of the Fourteenth Bi-annual Report of COSAC.

## **2. Priorities of the Belgian Presidency – guest speaker: Mr Olivier CHASTEL, State Secretary for European Affairs of Belgium**

This session of the meeting was chaired by Ms Vanessa MATZ. The Chair opened the session and gave the floor to Mr Olivier CHASTEL, Secretary of State for European Affairs of Belgium.

Mr Olivier CHASTEL presented six main priorities of the Belgian Presidency. In doing so, he emphasised that:

1. The crisis exit strategy and the return to a durable and sustained growth was the first and most important among these priorities. In this context, the legislative initiatives aiming at the establishment of the European Systemic Risk Board and the European System of Financial Supervisors were highlighted side by side with the equally urgent proposal for a directive on investment fund managers regulating the hedge funds;
2. The second priority was the promotion of social progress and combating poverty. Here, the Secretary of State underlined that the Belgian Presidency would be the first to implement the European Employment Strategy which would take into account the objectives set by the Europe 2020 Strategy;
3. Thirdly, the Belgian Presidency intended to reopen negotiations on climate and environment in order to prepare the Cancún en Nagoya conferences and to further implement the EU climate and energy package;
4. The deepening of the area for freedom, security and justice was the fourth priority of the Belgian Presidency. In this framework, particular attention would be paid to further implementation of the Stockholm Programme, the immigration issue, development of a common asylum policy and fight against terrorism;

5. The fifth priority was the global influence of the Union in general and the uniqueness of its representation in CFSP matters in particular;
6. Last but not least, the Belgian Presidency endeavoured to further implement the Treaty of Lisbon by, for instance, developing the European Citizens' Initiative, adopting the EU budget for 2011 along with a new procedure, contributing to the strengthening of the newly created institutional framework and modified relations of the key actors within the EU.

In the ensuing debate several Members were particularly interested in the approach of the Presidency to immigration in general and to human trafficking and illegal immigration in particular. More specifically, regarding trafficking in human beings, it was stressed that the some Member States that used to be transit countries were becoming either source or destination countries. Regarding illegal immigration attention was drawn to the fact that current policies in this field were still based on the principle of voluntary burden sharing.

In the debate, questions were also raised on the future of the European External Action Service. The current economic situation was another matter of concern for a number of Members. More specifically, they wanted more information, *inter alia*, on the monitoring of the follow-up of the Europe 2020 Strategy and on the results that were to be expected from the so-called "Van Rompuy task force". In this context, Mr Pierre LEQUILLER, from the French *Assemblée nationale*, drew attention to the report of the UMP Group on the establishment of economic governance in the EU<sup>1</sup>. Later, the report mentioned by Mr LEQUILLER'S was made available at the entrance of the conference room.

Furthermore, the following issues regarding external aspects of the EU were mentioned: the European Neighbourhood Policy and the absence of any reference in the speech of the Secretary of State to a common visa policy, to the Middle East policy and to the Transatlantic and Mediterranean Summits during the Belgian Presidency. Further inquiries were made into the prospects of an EU-Africa Summit.

Next, issues were raised regarding the enlargement of the European Union, the intentions of the Belgian Presidency on the preparation for the Cancún Summit and on the gap in the parliamentary oversight of CSDP.

In his answer regarding immigration, Mr CHASTEL stressed the ambition of the Belgian Presidency to reach an agreement on the proposal for a directive on preventing and combating trafficking in human beings. Moreover, according to the Secretary of State, in order to counter illegal immigration, Frontex had to be reinforced.

Mr Olivier CHASTEL also stated that, as it was not certain that the proposals by the High Representative for Foreign Affairs and Security Policy on the European External Action Service would be immediately agreed upon by the European Parliament, in the meantime, Ms Catherine ASHTON had been assured of the support of the Belgian Foreign Service.

The Secretary of State affirmed that Ecofin would play an important role in the supervision of the financial sector and that, in the light of the existing resistance; these efforts would have to be considerable. Bearing in mind that the Europe 2020 Strategy and its implementation

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<sup>1</sup> [http://www.deputes-ump.fr/tl\\_files/pdfs/gouvernanceeconomiqueeuropeenne.pdf](http://www.deputes-ump.fr/tl_files/pdfs/gouvernanceeconomiqueeuropeenne.pdf).

instruments had been defined, Mr CHASTEL stated that it was up to the individual Member States now to implement their specific measures. Moreover, he preferred to wait for the results of the “Van Rompuy task force” before commenting on them.

In the context of the European Neighbourhood Policy, any change of visa policy would have to take into account the current regulation. Mr CHASTEL added that the EU visa policy fell within the remit of the High Representative and of the European Commissioner for Enlargement and European Neighbourhood Policy. The Belgian Presidency preferred not to mention the Middle East in order not to trample on the High Representative’s competences. The organisation of a Transatlantic and/or Mediterranean Summit, on the other hand, was left for the discretion of the President of the European Council. The Secretary of State stated that specific problems and difficulties in defining the goals made it impossible to organise an EU-Africa summit in the near future.

In the context of the enlargement of the European Union, Mr CHASTEL encouraged Turkey to adapt the requisite legislation before the upcoming parliamentary recess if the candidate country wished new negotiation chapters to be opened. The Secretary of State also expressed hope that the problems between Greece and FYROM would soon be solved.

Regarding the preparation for the Cancún Summit, the Secretary of State stressed the need of strong objectives together with a strategy to convince not only the main decision-makers but also the developing countries and for the EU to continue to play key role in this policy field preferably among major decision-makers who are leading negotiations and contributing to reaching a worldwide consensus.

Mr CHASTEL explained that it was not within the Belgian Presidency’s remit to reverse the WEU’s decision of 31 March 2010.

**3. Relations between national Parliaments and the European Commission – guest speaker: Mr Maroš ŠEFČOVIČ, Vice-President of the European Commission in charge of Inter-Institutional Relations and Administration**

This session of the meeting was chaired by Mr Herman DE CROO. The Chair opened the session and gave the floor to Mr Maroš ŠEFČOVIČ, Vice-President of the European Commission.

In his intervention, Mr Maroš ŠEFČOVIČ focused on the developments which took place since his latest intervention at the XLIII COSAC meeting in Madrid on 1 June 2010 and on relations between the European Commission and national Parliaments.

Firstly, amongst the recent developments, the Vice-President of the Commission mentioned the Framework Agreement between the European Commission and the European Parliament, which updated the former Agreement between the two institutions and put into effect the new provisions of the Treaty of Lisbon. According to Mr ŠEFČOVIČ, the European Parliament and the Commission had been very careful not to undermine the institutional balance, in the belief that the good functioning of the Union needed a working cooperation of the institutions. Mr ŠEFČOVIČ stressed that the Agreement did not deal with the European External Action Service. The Framework Agreement allowed for programming of the Union activities, and established the possibility of the participation of Members of the European

Parliament as observers in international meetings where the Commission would be a part. The Framework Agreement will enter into force in August 2010.

Mr Maroš ŠEFČOVIČ also commented on the agreement reached in May in Madrid on the European External Action Service, where both expertise and accountability will be the defining traits of the new service.

As to the European Citizens' Initiative, Mr ŠEFČOVIČ stressed the fact that the Council had made important progress in accommodating the different traditions of the Member States, and looked forward to the discussions in the European Parliament, expecting an agreement on this issue to be reached by the end of 2010.

Mr ŠEFČOVIČ also highlighted the need for close cooperation between the European Union, the Member States and their national Parliaments in relation to fiscal consolidation and structural reforms. The Europe 2020 Strategy will need the support of national Parliaments in relation to both issues. COSAC may play an important role in the exchange of information and good practices regarding these issues.

In the second part of his intervention, on relations between the European Commission and national Parliaments, Mr ŠEFČOVIČ underlined the Commission's Annual Report 2009 on relations between the European Commission and national Parliaments, adopted on 2 June 2010. The report will be translated soon and sent to national Parliaments. The relationship between the European Commission and national Parliaments will be strengthened, both directly and through the network of permanent representatives of national Parliaments in Brussels. In particular, the Commission will strive to clearly justify all legislative proposals with regard to their compliance with the principle of subsidiarity.

After a six months experience, the subsidiarity control mechanism established in the Treaty of Lisbon has worked smoothly, thanks to the direct communication between the Commission and national Parliaments. According to Mr ŠEFČOVIČ, no problems have been reported. The Commission has received 41 opinions so far, and only 4 were negative. The thresholds have not been reached, but the Commission will respond to all negative opinions. These answers are collegial and prior to their approval by the college have to go through the scrutiny of inter-service committees. In this context, Mr ŠEFČOVIČ stressed the relevance of the political dialogue, especially in those cases where the thresholds foreseen in the Treaty are not met. All opinions sent by national Parliaments to the European Commission are taken into account in the pre-legislative negotiations on the initiatives in question.

Mr Maroš ŠEFČOVIČ provided an oral answer to the contribution of the XLIII COSAC meeting held in Madrid, in addition to the letter of the Commission which will follow. As to the point on climate change, he presented the Commission's goals, linked to the climate-energy package and the Europe 2020 Strategy. In relation to the EU's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Commission welcomed the support of COSAC. As to the Framework Agreement, he reassured COSAC Members that the partnership between the European Parliament and the Commission was not aimed at weakening the Council, but at promoting inter-institutional collaboration. The concept of draft legislative act was defined by the Treaty and left no room for interpretation in this respect. Mr ŠEFČOVIČ ended his intervention with a reference to the Commission's Work Programme, which could be discussed both within COSAC and with

each national Parliament in the presence of individual Commissioners, if there was such a request.

The intervention of Mr Maroš ŠEFČOVIČ was followed by a debate divided into two parts. In the first set of questions, *inter alia*, the following issues were raised: the Europe 2020 Strategy and its budgetary implications, the role of national Parliaments in European economic governance, the European Protection Order, Turkey's accession to the EU, fight against terrorism and the Framework Agreement between the European Commission and the European Parliament. In his answers to these questions, Mr ŠEFČOVIČ asserted that more time would be needed before the institutional balance foreseen in the Treaty of Lisbon could be achieved. The increased role of national Parliaments in the Treaty of Lisbon was defined as a crucial development, given the fact that European targets should be transformed into national ones by national Parliaments, in order to avoid mere reference-making. As to the budgetary issues, a new procedure would be established next year, for the next seven-year budgetary plan. The conflict regarding the European Protection Order between the Commission and the Spanish Presidency was considered by Mr ŠEFČOVIČ as a mere legalistic problem which should not cloud the fact that the goal of the Commission and of the Spanish Presidency was the same. The European Commission was committed to the Turkish accession to the EU, although the Vice-President acknowledged that several issues were still left open.

In the second set of questions, the Vice-President was asked about the prospects of cooperation in the area of freedom, security and justice, the democratic deficit in the EU, the effect of the contributions of national Parliaments on the work of the EU institutions, the concept of draft legislative act, the institutional balance of the EU and Croatia's accession to the EU. In his answers Mr ŠEFČOVIČ described the Stockholm program as very ambitious; thus the negotiations on the implementation of the Programme would have to take into account the views of national Parliaments. As to the institutional balance, the aim should be to interlock the institutions, rather than to "interblock" them. The accession of Croatia was deemed to be advancing properly. Finally, after stating the fact that the Commission is present in all the Council meetings, Mr ŠEFČOVIČ expressed his intention to be present in the meetings of the Conference of Presidents of the European Parliament.