

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

PRESENT AT THE MEETING:

Mr Werner Fasslabend (*Nationalrat*), Co-Chairman; Mr Gottfried Kneifel (*Bundesrat*), Co-Chairman; Lord Grenfell (UK, House of Lords); Mr Jari Vilén (Finnish Parliament); and Mr Edward McMillan-Scott (European Parliament).

AGENDA:

- 1) Agenda of the XXXV COSAC in Vienna on 9-11 May 2006;
- 2) Any other business:
 - Special Guests for the XXXV COSAC;
 - Subsidiarity and Proportionality Check - designation of most frequently nominated proposals;
 - Consideration of the proposal from the European Cooperation Organisations committee of the Senate, States-General, the Netherlands, regarding public debates in the Council on the proposals designated for the subsidiarity and proportionality check; and
 - Following up the Contribution from the XXXIV COSAC.

1) Agenda of the XXXV COSAC in Vienna

The Chairman, Mr Fasslabend, started the meeting of the Presidential Troika by welcoming the delegations to Vienna. Lord Grenfell apologised for the absence of Mr Jimmy Hood (UK, House of Commons).

Mr Fasslabend introduced the agenda that the Austrian Parliament proposed for the plenary meeting of the XXXV COSAC to be held in May in Vienna, which had been circulated to delegates in advance of the Troika meeting.

In preparing the agenda, the Austrian Presidency had had due regard to the 'Note on Proposals for COSAC for 2006', prepared by the COSAC secretariat and presented to the XXXIV COSAC in October 2005 in London, as well as to the debate on the subject during that meeting and the minutes of that meeting.

Mr Fasslabend informed the Troika that Federal Chancellor Schüssel had confirmed that he would participate at the XXXV COSAC for the first item on the agenda. Confirmation had not been received from Commission President Barroso for the second agenda item.

The debate on the future of the Constitutional Treaty and subsidiarity control by national parliaments would give an opportunity for feedback from the conference on subsidiarity organised by the Austrian Government in St. Pölten on 18-19 April and the joint parliamentary meeting on the future of Europe in the European Parliament in Brussels on 8-9 May.

Commissioner Ferrero-Walder had confirmed her participation at the meeting on 23 May. Commissioner Rehn was unable to attend, but a representative from the Commission Directorate General for Enlargement would attend in his place.

An exchange of views took place.

The Troika agreed that if Commission President Barroso or a member of the European Commission delegated by him was unable to attend the meeting on 22 May, then Jeremy Rifkin would be invited. If neither were able to attend, the debate on the European social model could be merged with another agenda item in order to allow more time for interventions from delegates.

There being no further proposals from the delegations, the Presidential Troika agreed to propose to the COSAC Chairpersons the draft agenda for the XXXV COSAC in May in Vienna as attached to these minutes.

2) Special Guests at the XXXV COSAC

Mr Fasslabend informed the Presidential Troika that, following the Conclusions of the XXXIV COSAC on Article 4.3 of the Rules of Procedure on special guests, the Austrian Presidency had given particular attention to the question of who should be invited to attend the XXXV as special guests. An exchange of views took place.

Lord Grenfell questioned whether special guests would be invited for the whole conference or specifically for the agenda item of definite clear interest to them.

The Troika agreed that the Austrian Presidency should invite representatives from COSAP and the Parliament of Ukraine as special guests to the XXXV COSAC. The agenda item on the Western Balkans and the European neighbourhood policy was of definite clear interest to them.

3) Subsidiarity and Proportionality Check - designation of most frequently nominated proposals

In line with the Contribution and Conclusions from the XXXIV COSAC, the Presidential Troika agreed to designate the two most frequently nominated legislative proposals to be subject to the forthcoming subsidiarity and proportionality check. They were the

- Proposal for a Regulation on the applicable law and jurisdiction in divorce matters (2005/JSL/187); and
- Proposal for the full accomplishment of the Internal Market for Postal Services (2006/MARKT/006).

4) Consideration of the proposal from the European Cooperation Organisations committee of the Senate, States-General, the Netherlands, regarding public debates in the Council on the proposals designated for the subsidiarity and proportionality check

Mr Fasslabend informed the Presidential Troika that the Austrian Parliament had received a request from the European Cooperation Organisations committee of the Senate, States-General, the Netherlands, regarding public debates in the Council on the proposals designated for the subsidiarity and proportionality check. The letter from Mr van der Linden, Chairman of the committee on European Cooperation Organisations, had been made available to delegations in advance of the meeting.

The Presidential Troika supported the proposal from the Dutch Senate. The Presidential Troika agreed that the Austrian Presidency should write to the President of the Council accordingly.

5) Following up the Contribution from the XXXIV COSAC

The outline of the 5th biannual report included a chapter that would follow up issues that were raised in the 4th biannual report and had been the subject of the Contribution from the XXXIV COSAC. That chapter would require information from the EU Institutions on developments concerning ESDP operations, better regulation and openness in the Council. In line with Article 10.7 of the Rules of Procedure, the Contribution from the XXXIV COSAC had been published in the *Official Journal*, and the UK Presidency had sent it to the Presidents of the EU Institutions. The Troika agreed that the Austrian Presidency would take the same approach and write to the President of the Commission to request the information necessary for the preparation of the biannual report.

6) Any other business

There being no other business, Mr Fasslabend closed the meeting.