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NOTE

From: General Secretariat
To: Delegations
Subject: Summary record of the meeting of the COSAC plenary, held in Riga on
31 May - 2 June 2015

Among the highlights of this year's COSAC plenary meeting in Riga on 31 May - 2 June 2015, was the Presentation by Ms STRAUJUMA, the Prime Minister of Latvia, on the achievements of the Latvian Presidency as well as two lively debates with members of the Commission (Commissioner ŠEFČOVIČ discussed Energy Policy, while Commissioner MALMSTROM reassured members about TTIP). The last afternoon was marked by a discussion on the role of national parliaments - in particular on how to improve the 'yellow card' and on the need to establish a 'green card'. Despite some mildly dissenting voices on the concept, it was agreed that a green card 'pilot project' would be launched.

The COSAC contribution and conclusions¹ were also accompanied by a COSAC statement on the recent entry bans imposed by the Russian Federation².

¹ http://www.cosac.eu/53-latvia-2015/plenary-meeting-of-the-liii-cosac-31-may-2-june-2015/h1-9_FINAL-Contribution_Riga_02-06-EN.pdf

² http://www.cosac.eu/53-latvia-2015/plenary-meeting-of-the-liii-cosac-31-may-2-june-2015/e1-9_RUSSIA-STATEMENT-FINAL.pdf

Ms STRAUJUMA, the Prime Minister of Latvia, presented the state of play of the Latvian Presidency. The main challenges it had to face was to ensure economic growth and address issues of security and foreign policy. In terms of legislative files, the LV Presidency opened trilogues on 25 files and concluded the procedure on 10. It also hoped, by the end of its term, to open trilogues on 18 more files and to conclude the procedure on a further 10 files.

The Presidency's key achievements include:

- reaching political agreement with the EP on the European Fund for Strategic Investment;
- making progress on the Energy Union (focusing on regional cooperation, affordable energy prices, and access to energy project financing);
- making progress in energy and climate change policy;
- continuing work on key legislative acts on the Single Digital Market;
- strengthening measures against terrorist threats;
- adopting urgent measures to solve the migration crisis;
- confirming the EU's continued support toward the Eastern Partnership countries, and
- promoting discussion on external security issues (in preparation of the Council discussions on 25-26 June to evaluate progress and set future priorities in this area).

The various topics addressed by MPs in the following debate included in particular the need to urgently address the immigration crisis and the Eastern Partnership:

Debate on the Future of parliamentary scrutiny of EU affairs

Table of priority files in the Commission's annual work programme

Further to the informal suggestion by the Dutch House of Representatives and discussions within the COSAC chairperson's meeting In January 2015, several national parliaments shared and completed a table indicating their priority files³ in the Commission's annual work programme. They submitted the table to the Commission and the European Parliament in march this year and decided to submit a similar table every year before 1 April 2015.

³ <http://www.cosac.eu/53-latvia-2015/plenary-meeting-of-the-liii-cosac-31-may-2-june-2015/e1-9> Letter NL House of Representatives-table of priorities.pdf

It was suggested that the Commission Work Programme become a permanent yearly item on the COSAC agenda. It was also agreed that a 'champion' parliament would be appointed to lead the follow-up to priority files and coordinate national parliaments' positions.

Working group on the yellow card

COSAC briefed members on the conclusions of a working group set up to explore ways to strengthen the clout of the yellow card without the need to revise the Treaties. The group suggested that:

- a **'champion parliament'** draw the attention to any problems in a draft legislative act, gather all arguments, and coordinate work to potentially trigger a yellow card.
- the Commission respond more promptly and exhaustively to the arguments raised in reasoned opinions, and send, in addition to individual replies, a collective reply to all national parliaments, addressing all the arguments raised;
- an **assessment of proportionality** be included in national parliaments' scrutiny of proposals;
- **the 8-week deadline** for national parliaments' subsidiarity check be calculated in a flexible manner (i.e. excluding certain holiday periods).

Green card pilot project

As a direct result of informal initiatives launched by the Dutch House of Representatives and the UK House of Lords, MPs also held a balanced debate on the potential of a green card. Such a card would enable national parliaments to call for new legislative action, or for the review, amendment or repeal of existing legislation. There was wide consensus on the green card, not least from Mr HANNIGAN (IE) who listed its advantages, with supporting comments from MPs who highlighted that it gave them a means of intervening in EU policy constructively, rather than reactively.

However, Mr TANCREDI (IT) offered a more critical view, claiming that it altered the institutional balance, could not fully influence decision-making, and established a competitive relationship with the EP. He argued that the role of national parliaments was to hold their governments to account and suggested, in line with FVP Timmermans' reaction to the green card suggestion, that national parliaments put forward their ideas to the Commission at any time without the constraints of a rigid procedure and thresholds. Some MPs (DE and PT) also echoed some of these reservations, suggesting a concerns that calls for parliamentary cooperation were motivated by a wish to renationalise EU debates and policies.

At Mr Boswell's initiative, it was agreed that a "trial green card" would be launched. It would relate to a proposal to tackle food waste, and would provide suggestions for non-legislative action and steps for the Commission to take (e.g. producing a roadmap), which could be incorporated into a new circular economy proposal.

The Luxembourg Chamber of Deputies indicated the future Presidency's continued interest in both the yellow and the green card, and confirmed that the issue would be discussed again at the upcoming COSAC chairperson's meeting in Luxembourg in mid-July.

The Commission has so far reacted cautiously to the suggestion of a **green card**, indicating that the Treaty should not be changed, and that the full potential of existing provisions should be fully exploited. In that regard, First VP Timmermans has invited MPs to explore ways to improve cooperation and political dialogue among themselves and with the Commission.

The EP was particularly open to suggestions from national parliaments. Mr KARIM (ECR, UK) emphasised "a real willingness" in the EP to engage with national parliaments to bridge the disconnect between citizens and the EU. The AFCO chair, Ms HÜBNER (EPP, PL), underlined the precious input national parliaments provide to the EP and was satisfied with the levels of cooperation in certain areas. Along with Ms RODRIGUEZ (S&D, PT) she also called for their greater involvement in economic governance, and for their ex ante rather than ex post participation in the legislative process. In relation to the green card, she stressed that national parliaments were free to decide how to influence EU legislation, despite the need to respect checks and balances.