



CORTES GENERALES



## INFORME SOBRE LA REUNIÓN DE PRESIDENTES DE LA COSAC CELEBRADA EN LUXEMBURGO LOS DÍAS 12 Y 13 DE JULIO DE 2015.

El domingo día 12 de julio tuvo lugar una cena organizada por el Parlamento luxemburgués.

El lunes día 13 de julio dio comienzo la reunión en el Centro Europeo de Conferencias a las 8,30 horas de la mañana, con el Orden del Día y asistentes que se acompañan como **Anexos nº 1 y 2**. La Delegación de las Cortes Generales estuvo formada por:

- D.<sup>a</sup> Carlota Ripoll Juan (SGPP), Portavoz Adjunta de la Comisión Mixta para la Unión Europea.
- D. Àlex Sáez Jubero (GS), Vocal de la Comisión Mixta para la Unión Europea.
- D. Manuel Delgado-Iribarren García-Campero, Letrado de la Comisión Mixta para la Unión Europea.

### • Prioridades de la Presidencia luxemburguesa.

Tras los saludos de bienvenida de las autoridades anfitrionas, el Ministro de Trabajo, Empleo y Economía Social de Luxemburgo, Sr. Nicolás Schmit, expuso las prioridades de la presidencia luxemburguesa. Se refirió a la necesidad de acercar la Unión Europea a los ciudadanos, y de hacerla más social; el mercado digital y la protección de datos; espacio judicial europeo, con el Ministerio Fiscal europeo como proyecto más destacado; protección contra el terrorismo y apoyo al desarrollo de países del Magreb; unión energética y política de transportes; reforzamiento de la Unión Económica y Monetaria; lucha contra el fraude fiscal; desarrollo sostenible y transición hacia una economía verde, con especial atención a la Cumbre de París sobre el cambio climático. Mencionó otras prioridades como reforzar la presencia de la Unión Europea en el mundo, impulsar la adhesión a la Unión Europea de Serbia y Montenegro y los avances en la negociación con Bosnia, así como la política de vecindad. Sobre el referéndum británico, la Presidencia quiere contribuir a la permanencia del Reino Unido. Concluyó refiriéndose a la exigencia de reforzar los vínculos y la confianza mutua entre los miembros de la Unión Europea.

En el turno de las delegaciones se hizo referencia a la situación de Grecia; a la política de inmigración y al problema de los refugiados. El Sr. Valcárcel, del Parlamento Europeo, intervino para subrayar los problemas de la reubicación de refugiados, propugnando la reforma del reglamento FRONTEX y la mejora de la política de asilo. Otras intervenciones se refirieron al problema del terrorismo internacional; al desarrollo sostenible; al acuerdo suscrito con Grecia esta misma mañana; el Plan Juncker y las previsiones de su puesta en marcha; las "PYMES" y la estrategia europea respecto a ellas; el futuro de la Unión Económica y Monetaria; el proceso de ampliación y los Balcanes; la posibilidad de establecer cupos por países en la Unión Europea en la política de asilo.

En relación a los aspectos procedimentales, se aprobaron las propuestas de la Presidencia sobre el Orden del Día de la próxima COSAC (**Anexo nº 3**), sobre el informe



## CORTES GENERALES

semestral (**Anexo nº 4**) y sobre la renovación del mandato de la Secretaría permanente de la COSAC.

**• Reforzamiento del diálogo político: “tarjeta verde” y mejora del procedimiento de “tarjeta amarilla”.**

El Sr. Mota Pinto (Portugal) reconoció los avances de la Comisión Juncker en la relación con los Parlamentos nacionales, si bien propuso mejorar la calidad de las respuestas a las opiniones de los Parlamentos nacionales, dar más tiempo a las comparecencias de los Comisarios europeos, y extender el examen parlamentario al principio de proporcionalidad y a otros aspectos. En el **Anexo nº 5** se incluye el informe del grupo de trabajo creado sobre ello.

Lord Boswell (Reino Unido) reiteró su propuesta sobre la “tarjeta verde”, cuyas líneas esenciales se recogen en la nota incluida como **Anexo nº 6**. Tras la tramitación de proyecto piloto se va a remitir la propuesta al Presidente Juncker.

El Vicepresidente Timmermans manifestó que le gustaba la “filosofía” subyacente a la “tarjeta verde”, porque no es negativa sino positiva, busca que la Unión Europea actúe; por eso anunció que la posición de la Comisión Europea va a ser constructiva, sin que ello implique renuncia alguna a la potestad exclusiva de iniciativa legislativa de la Comisión.

En el turno de las delegaciones el Sr. Valcárcel (Parlamento Europeo) señaló que se debe respetar el marco jurídico y el equilibrio institucional existente; subrayó que el Parlamento Europeo ha pedido que la “tarjeta verde” se inscriba en un “diálogo político reforzado”, de manera pragmática.

Las delegaciones apoyaron la creación de un grupo de trabajo; que la Comisión Europea conteste con más rapidez y mayor calidad en las respuestas, reconociéndose que la situación ha mejorado con la Comisión Juncker; la Asamblea Nacional francesa anunció que va a presentar una propuesta de “tarjeta verde” sobre la responsabilidad social de las empresas. También se pusieron de relieve los problemas constitucionales que tienen algunos Estados para incorporar la “tarjeta verde” (Polonia, Bélgica).

El Presidente, Sr. Ángel, consideró que al no haber ninguna manifestación en contrario debía entenderse ratificada su propuesta de creación de un grupo de trabajo que se detalla en el **Anexo nº 7**, lo que recibió el asentimiento general. Se intentará celebrar una reunión antes de la COSAC de diciembre.

La reunión concluyó a las 13,00 horas.

  
Manuel Delgado-Iribarren García-Campero  
Letrado de la Comisión Mixta para la Unión Europea

Draft as of 26 May 2015

## Meeting of the Chairpersons of COSAC Luxembourg, 12 and 13 July 2015

### Draft programme

#### Sunday, 12 July 2015

14.00 - 19.00      Arrival of delegations and registration for the meeting at the hotels

##### Meeting of the Presidential Troika of COSAC

17.30      Departure from the hotels

18.00 - 19.00      Meeting of the Presidential Troika  
*Venue: Chamber of Deputies, Printz-Richard Building  
L-1729 Luxembourg, 23, rue du Marché-aux-Herbes,  
Meeting room 4 - 5*

19.00      Departure for dinner

19.00      Departure by bus from the hotels

19.30      **Dinner** hosted by Mr Marc Angel, Chairman of the Committee on  
Foreign and European Affairs, Defence, Cooperation and Immigration,  
at the *Restaurant l'Etoile* at the hotel Sofitel Luxembourg Le Grand  
Ducal  
*Address: L-1160 Luxembourg, 40, boulevard d'Avranches*

around 22.00      Return to the hotels by bus

#### Monday, 13 July 2015

8.15      Departure on foot from the hotels to the European Convention Center  
Luxembourg (*Address: L-1499 Luxembourg, 4, place de l'Europe*)

Registration (for those who are not yet registered)

8.45

**Opening of the meeting**

**Welcome address** by Mr Mars Di Bartolomeo, Speaker of the Chamber of Deputies

**Introductory remarks** by Mr Marc Angel, Chairman of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration

**Adoption of the agenda**

**Procedural issues and miscellaneous matters**

- Briefing on the results of the Presidential Troika of COSAC
- Draft agenda of the LIV COSAC
- Outline of the 24<sup>th</sup> Bi-annual Report of COSAC
- Letters received by the Presidency

Debate

09.30

**Priorities of the Luxembourgish Presidency of the Council of the European Union**

**Keynote speaker** : Mr Xavier Bettel, Prime Minister of the Grand Duchy of Luxembourg

Debate

11.00

Coffee break

11.30

**Strengthening of the political dialogue by introducing a "green card" and improvement of the reasoned opinion procedure ("yellow card")**

**Keynote speaker** : Mr Frans Timmermans, Vice-President of the European Commission (to be confirmed)

Debate

13.00

**Closing remarks** by Mr Marc Angel, Chairman of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration

13.15

Family photo

**Lunch** at the European Convention Center Luxembourg

15.00

Departure of delegations

*Version du 9 juillet 2015*

## **Meeting of the Chairpersons of COSAC**

**12-13 July 2015**

**Luxembourg**

### **DRAFT LIST OF PARTICIPANTS**

## **Réunion des Présidents de la COSAC**

**12 et 13 juillet 2015**

**Luxembourg**

### **LISTE DES PARTICIPANTS PROVISOIRE**

## **AUSTRIA – AUTRICHE – ÖSTERREICH**

### **National Council / Conseil national / Nationalrat**

Mr/ M. Karlheinz KOPF, Second President of the National Council, Chairperson of the Standing Subcommittee on EU Affairs

Ms/ Mme Gerda ZWENG, Advisor to the Second President of the National Council

### **Federal Council / Conseil fédéral / Bundesrat**

Mr/ M. Edgar MAYER, Chairperson of the EU Committee of the Federal Council

Mr/ M. Christian HUETTERER, Permanent Representative of the Austrian Parliament to the European Parliament

## **BELGIUM – BELGIQUE – BELGIË**

### **House of Representatives / Chambre des représentants / Kamer van volksvertegenwoordigers**

Mr/ M. Peter LUYKX, Member of the Advisory Committee on European Affairs

Mr/ M. Daniel LUCION, Official at the Belgian House of Representatives

### **Senate / Sénat / Senaat**

Mr/ M. Philippe MAHOUX, Président du Comité d'Avis fédéral chargé des Questions européennes

Ms/ Mme Luna SADAT, Secrétaire de délégation

## **BULGARIA – BULGARIE – БЪЛГАРИЯ**

### **National Assembly / Assemblée nationale / Narodnosabranie**

Mr/ M. Svetlen TANCHEV, Head of delegation, Chairperson of the Committee on European Affairs and Oversight of the European Funds

Mr/ M. Mladen LAMBEFF, Chief Advisor

## **CYPRUS – CHYPRE – ΚΥΠΡΟΣ**

**House of Representatives / Chambre des représentants / Vouli ton Antiprosopon**

Mr/ M. Averof NEOFYTOU, Head of delegation, Chairman of the House Standing Committee on Foreign and European Affairs

Ms/ Mme Hara PARLA, Senior International Relations Officer

## **CZECH REPUBLIC – RÉPUBLIQUE TCHÉQUE – ČESKÁ REPUBLIKA**

**Chamber of Deputies / Chambre des députés / Poslanecká Sněmovna**

Mr/ M. Ondrej BENESIK, Chairman of the Committee on European Affairs

Ms/ Mme Lenka MOZGOVA, Secretary of the Committee on European Affairs

**Senate / Sénat / Senát**

Mr/ M. Vaclav HAMPL, Head of delegation, Chairman of the Committee on EU Affairs

Mr/ M. Jiri KAUTSKY, Head of the EU Unit

## **CROATIA – CROATIE – HRVATSKA**

**Parliament / Parlement / Hrvatski sabor**

Ms Tanja BABIC, Croatian Parliament Representative to the European Parliament

**DENMARK – DANEMARK – DANMARK**

**Parliament / Parlement / Folketinget**

Mr/ M. Klaus ANDERSEN, Representative of the Danish Parliament to the EU

**ESTONIA – ÉSTONIE – EESTI**

**Parliament / Parlement / Riigikogu**

Mr/ M. Kalle PALLING, Head of delegation, Chairman of the EU Affairs Committee

Mr/ M. Olev AARMA, Counsellor, Head of the Secretariat; EU Affairs Committee

**FINLAND – FINLANDE – SUOMI**

**Parliament / Parlement / Eduskunta**

Ms/ Mme Anne-Mari VIROLAINEN, Chair of the Grand Committee

Ms/ Mme Satu TUOMIKORPI, Liaison Officer

**FRANCE – FRANCE**

**National Assembly / Assemblée nationale**

Mr/ M. Jérôme LAMBERT, Head of delegation, Vice-président de la commission des Affaires européennes

**Senate/ Sénat**

Mr/ M. Jean BIZET, Head of delegation, Président de la commission des affaires européennes



Mr/ M. Philippe DELIVET, Chef du service de la commission des affaires européennes

## **GERMANY – ALLEMAGNE – DEUTSCHLAND**

**German Bundestag / Bundestag allemande / Bundestag**

Mr/ M. Tim-JOSCHKA SELING, Clerk EU-Committee

**Federal Council / Conseil fédéral / Bundesrat**

Mr/ M. Peter FRIEDRICH, Head of delegation, Chairman of the Committee on European Union

Ms/ Mme Ute MÜLLER, Head of the Secretariat of the Committee on European Union Questions

## **HUNGARY – HONGRIE – MAGYARORSZÁG**

**National Assembly / Assemblée nationale / Országgyűlés**

Mr/ M. Richárd HÖRCSIK, Chairman of the Committee on European Affairs

Ms/ Mme Zsuzsánna DÓCZY, Advisor to the Committee on European Affairs

Ms/ Mme Éva SZEKRÉNYES, Permanent Representative

## **IRELAND – IRLANDE – ÉIRE**

**Parliament / Parlement / Houses of the Oireachtas: Dáil Eireann**

Mr/ M. Sean KYNE, Vice-Chairman of the Joint Committee on European Union Affairs

Ms/ Mme Fiona CASHIN, Policy Advisor

Mr/ M. Derek DIGNAM, Representative of the Irish Parliament at the European Parliament

## **ITALY – ITALIE – ITALIA**

### **Chamber of Deputies / Chambre des députés/ Camera dei Deputati**

Mr/ M. Paolo TANCREDI, Vice Chairman-European Union Policy Committee

Mr/ M. Antonio ESPOSITO, Counsellor, Department for EU Affairs

Mr/ M. Umberto CINI, Interpreter

### **Senate / Sénat / Senato**

Mr/ M. Vannino CHITI, Head of delegation, Chairperson of the EU Policies Committee

Mr/ M. Davide Alberto CAPUANO, Head of the secretariat of the EU Policies Committee

Mr/ M. Claudio Olmeda, Interpreter

## **LATVIA – LETTONIE – LATVIJA**

### **Parliament / Parlement / Saeima**

Ms/ Mme Lolita ČIGĀNE, Head of delegation, Chair

Mr/ M. Girts OSTROVSKIS, Senior Adviser

Ms/ Mme Aleksandra MELEŠKO, Adviser

Ms/ Mme Dana ROZLAPA, Deputy Permanent Representative of the Saeima of the Republic of Latvia to the EU

## **LITHUANIA – LITUANIE – LIETUVA**

### **Parliament / Parlement / Seimas**

Mr/ M. Gediminas KIRKALAS, Head of delegation, Chair of the Committee on European Affairs

Mr/ M. Matas MALEDEIKIS, Adviser to the Committee on European Affairs

## **LUXEMBOURG – LUXEMBOURG – LËTZEBUERG**

### **Chamber of Deputies / Chambre des Députés**

Mr/ M. Marc ANGEL, Chairman of the Committee on Foreign and European Affairs,  
Defense, Cooperation and Immigration

Ms/ Mme Isabelle BARRA, Secrétaire générale adjointe

## **MALTA – MALTE – MALTA**

### **House of Representatives / Chambre des représentants / Kamratad-Deputati**

Mr/ M. Luciano BUSSUTIL, Head of delegation, Chairman of the European and Foreign  
Affairs Committee

Mr/ M. Ian Paul BAJADA, Research Analyst

## **NETHERLANDS – PAYS-BAS – NEDERLAND**

### **Senate / Sénat / Eerste Kamer der Staten-Generaal**

Mr/ M. Tuur ELZINGA, Head of delegation, Chairman of the Standing Committee on  
European Affairs

Ms/ Mme Eva LEMAIER, Clerk Interparliamentary Conferences of the Dutch EU  
Presidency 2016

Ms/ Mme Ilse VAN DEN DRIESSCHE, Staff member of the Standing Committee on  
European Affairs

Mr/ M. Stephan DE VOS, Co-project Manager Parliamentary dimension EU Presidency  
2016

**House of Representatives / Chambre des représentants / Tweede Kamer der Staten-Generaal**

Mr/ M. Malik AZMANI, Head of delegation, Chair of the European Affairs Committee

Mr/ Mme Lisa VERMEER, Deputy Clerk to the European Affairs Committee

Mr/ Mme Mendeltje VAN KEULEN, Clerk to the European Affairs Committee

**POLAND – POLOGNE – POLSKA**

**Parliament / Parlement / Sejm**

Ms/ Mme Agnieszka POMASKA, Head of delegation, Chairwoman of the EU Affairs Committee

Ms/ Mme Magdalena SKRZYŃSKA, Expert in the EU Division

**Senate / Sénat/ Senat**

Mr/ M. Edmund WITTBRODT, Head of delegation, Chairman of the EU Affairs Committee

Ms/ Mme Lidia SPYRKO VEL ŚMIETANKO, Head of the EU Affairs Unit

**PORTUGAL – PORTUGAL – PORTUGAL**

**Assembly of the Republic / Assemblée de la République / Assembleia da República**

Mr/ M. Paulo MOTA PINTO, Head of delegation, Chairman of the European Affairs Committee

Ms/ Mme Maria João COSTA, Permanent Representative of the Portuguese Parliament to the European Union

## **ROMANIA – ROUMANIE – ROMÂNIA**

### **Chamber of Deputies / Chambre des Députés / Camera Deputaților**

Mr/ Mme Ana BIRCHALL, Head of delegation, Chairperson of the European Affairs Committee

Mr/ M. Dan MATEI, Head of the European Affairs Committee Secretariat

### **Senate / Sénat / Senatul**

Ms/ Mme Gabriela CREȚU, Member

Mr/ M. MihaiCristian DĂNUT, Member

Ms/ Mme Nicoleta ALDEA, Counsellor

## **SLOVAKIA – SLOVAQUIE – SLOVENSKO**

### **National Council / Conseil national / Narodnarađa**

Mr/ M. Andrej KOLESIK, Vice-chairman of the Committee on European Affairs

Ms/ Mme Maria SZETEI, Director of the Department for European Affairs

## **SLOVENIA – SLOVÉNIE – SLOVENIJA**

### **National Council / Conseil national / Državnosvet**

Mr/ M. Zvonko BERGANT, Secretary of the Committee on EU Affairs

Mr/ M. Miloš POHOLE, Member of the Commission for International Relations and European Affairs

Ms/ Mme Neža DULAR, Advisor

## **SPAIN – ESPAGNE – ESPAÑA**

### **Congress of Deputies / Congrès des Députés de Sénat / Congreso de los Diputados**

Mr/ M. Manuel DELGADO IRIBARREN, Legal advisor

Mr/ M. Álex SÁEZ, Spokesperson

### **Senate / Sénat / Senado**

Ms/ Mme Carlota RIPOLL, Deputy Spokesperson

## **SWEDEN – SUÈDE – SVERIGE**

### **Parliament / Parlement / Riksdag**

Mr/ M. Eskil Erlandsson, Head of delegation, Vice Chair of the Committee on European Union Affairs

Ms/ Mme Margareta Hjorth, Head of Secretariat

## **UNITED KINGDOM – ROYAUME-UNI**

### **House of Commons / Chambre des Communes**

Ms/ Mme Alison GROVES, House of Commons Representative to the EU

### **House of Lords / Chambre des Lords**

Mr/ M. Timothy BOSWELL, Head of delegation, Chair, House of Lords EU Select Committee

Mr/ M. Christopher JOHNSON, Principal Clerk to House of Lords EU Select Committee

Mr/ M. Paul DOWLING, EU Liaison Officer

## **EUROPEAN PARLIAMENT – PARLEMENT EUROPÉEN**

Mr/ M. Ramon Luis VALCARCEL SISO, Vice President

Ms/ Mme Danuta HUEBNER, Chair of the Committee on Constitutional Affairs (AFCO)

Mr/ M. Francisco Juan GOMEZ MARTOS, Head of Institutional Cooperation Unit, DG Presidency

Ms/ Mme Christine VERGER, Directrice des relations avec les Parlements nationaux

Mr/ M. François NEMOZ-HERVENS, Administrateur au secrétariat de la commission des affaires constitutionnelles (AFCO)

Ms/ Mme Beatrice SCARASCIA MUGOZZA, Chef de Service

Ms/ Mme Maria Soledad GUIRAO GALDON, Political advisor, Group S&D -Relations with national Parliaments

Ms/ Mme Silvia Valeska DIAZ BLANCO, Political advisor to Vice President

Mr/ M. Christoph Schroeder, Head of the EP information office in Luxembourg

Ms/ Mme Simona MEGNE, COSAC Secretariat, Member (Representative to the EU Parliament of Latvia (Saeima))

Ms/ Mme Ines Caravia, Interpretor (ES)

Mr/ M. Fernando Gonzalez, Interpretor (ES)

Ms/ Mme Maria Alba RUSINOL VILA, Interpretor (ES)

## **CANDIDATE COUNTRIES – PAYS CANDIDATS**

### **ALBANIA-ALBANIE- SHQIPËRIA**

#### **Parliament / Parlement / Kuvendi**

Mrs Majlinda BREGU, Chairperson of the Parliamentary European Integration Committee

### **ICELAND – ISLANDE – ÍSLAND**

#### **Parliament / Parlement / Alþingi**

Mr/ M. Birgir ARMANNSSON, Head of delegation, Chair of the Foreign Affairs Committee

Ms/ Mme Sesselja SIGURDARDOTTIR, Advisor to the Foreign Affairs Committee

### **MACEDONIA- MACEDOINE- МАКЕДОНИЈА**

#### **Assembly/Assemblée/Собрание**

Ms/ Mme Ermira MEHMETI, Head of delegation, chairwoman of the EAC

Ms/ Mme Bleta BILALI AJETI, Assistant

### **MONTENEGRO – MONTÉNÉGRO – ЦРНАГОРА**

#### **Parliament / Parlement / Skupština**

Ms/ Mme Marija Maja ĆATOVIĆ, Head of delegation, Deputy Chair of the European Integration Committee

Ms/ Mme Sanja BULATOVIĆ, Officer at the European Integration Committee

### **SERBIA – SERBIE – СРБИЈА**

#### **National Assembly / Assemblée nationale / Narodnaskupština**



Mr/ M. Aleksandar SENIĆ, Head of delegation, Chair of the European Integration Committee

Ms/ Mme Vesna MARKOVIĆ, Member of European Integration Committee

Mr/ M. Aleksandar DJORDJEVIĆ, Secretary of the European Integration Committee

### **SPECIAL GUESTS – INVITÉS SPÉCIAUX**

#### **NORWAY – NORVÈGE – NORGE**

##### **Parliament / Parlement / Stortinget**

Mr/ M. Terje Aalia, Councillor at the Norwegian embassy the Hague/Luxembourg

Mr/ M. Christian TYBRING-GJEDDE, Member of Parliament

Mr/ M. Per NESTANDE, Senior Adviser

#### **SWITZERLAND – SUISSE – SCHWEIZ / SVIZZERA / SVIZRA**

##### **Parliament / Assemblée fédérale / Bundesversammlung**

Ms/ Mme Kathy RIKLIN, Head of delegation, Présidente de la délégation parlementaire AELE/UE

Mr/ M. Cédric STUCKY, Secrétaire de la délégation parlementaire AELE/UE

### **OTHER PARTICIPANTS – AUTRES PARTICIPANTS**

#### **EUROPEAN COMMISSION – COMMISSION EUROPEENNE**

Mr/ M. Frans TIMMERMANS, First Vice-President of the European Commission for Better Regulation, Inter-Institutional Relations, Rule of Law and Charter of Fundamental Rights

Mr/ M. Pascal LEARDINI, Director for Relations with the other Institutions

Mr/ M. Robert THOMAS, Co-ordinator for inter-institutional relations

Mrs/ Mme Alice RICHARD, Member of Cabinet of First Vice-President Frans Timmermans

#### **COUNCIL OF THE EUROPEAN UNION – CONSEIL DE L'UE**

Mr/ M. Klaus SCHWAB, Head of Unit, Council of the EU / Interinstitutional Relations

#### **EUROPEAN COURT OF AUDITORS – COUR DES COMPTES EUROPEENNE**

Mr/ M. Alex Brenninkmeijer, Observer

Mr/ M. Antonius Moonen, Observer

#### **COSAC SECRETARIAT – SECRÉTARIAT DE LA COSAC**

Ms/ Mme Christiana FRYDA, Permanent member of the COSAC Secretariat, House of Representatives of Cyprus

Mr/ M. Yves CARL, Member of the COSAC Secretariat, Luxembourg, Chambre des Députés

Mr/ M. Paolo ATZORI, Member of COSAC Secretariat, European Parliament

Mr/ M. Jos VAN DE WIEL, Member of the COSAC Secretariat, Dutch Parliament

#### **SPEAKERS – ORATEURS**

Mr/ M. Timothy BOSWELL, Head of delegation, Chair, House of Lords EU Select Committee

Mr/ M. Paulo MOTA PINTO, Head of delegation, Chairman of the European Affairs Committee

Mr/ M. Nicolas SCHMIT, Ministre du Travail du Grand-Duché de Luxembourg

Mr/ M. Frans TIMMERMANS, First Vice-President of the European Commission for Better Regulation, Inter-Institutional Relations, Rule of Law and Charter of Fundamental Rights

**LIV C O S A C**  
**29 November - 1 December 2015**  
**Luxembourg**

**DRAFT PROGRAMME**

**Sunday 29 November 2015**

14.00 - 19.00                      Arrival of delegations and registration for the meeting at the hotels

**Meeting of the Presidential Troika of COSAC**

17.30                                  Departure from the hotels

18.00 - 19.00                      Meeting of the Presidential Troika

*Venue : Chamber of Deputies  
Printz-Richard Building  
L-1729 Luxembourg, 23, rue du Marché-aux-Herbes*

19.00                                  Departure for the reception

19.00                                  Departure from the hotels

19.30                                  **Reception** hosted by Mr Marc Angel, Chairman of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration, at the Hotel Sofitel Europe L-2015 Luxembourg, 4, rue du Fort Niedergrunewald

around 21.30                      Return to the hotels

**Monday 30 November 2015**

7.30                                  Departure from the hotels for participants in meetings of political groups

**Meetings of political groups**

8.00 - 9.00                      Meetings of political groups  
*European Convention Center Luxembourg  
L-1499 Luxembourg, 4, place de l'Europe*

8.15	Departure from the hotels Registration (for those who are not yet registered)
9.00 - 9.30	<b>Opening of the meeting</b>  <b>Welcome address</b> by Mr Mars Di Bartolomeo, Speaker of the Chamber of Deputies  <b>Introductory remarks</b> by Mr Marc Angel, Chairman of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration  <b>Adoption of the agenda</b>  <b>Procedural issues and miscellaneous matters</b> <ul style="list-style-type: none"> <li>- Information on the results of the Presidential Troika of COSAC</li> <li>- Presentation of the 24<sup>th</sup> Bi-annual Report of COSAC</li> <li>- Letters received by the Presidency</li> </ul> Debate
9.30 - 13.00	<b>Session I - European Agenda on Migration</b>  <b><i>Common asylum policy and legal migration policy</i></b>  Keynote speaker : Mr Jean Asselborn, Minister for Foreign and European Affairs of Luxembourg (tbc)  Debate
11.00	Coffee break  <b><i>Fight against irregular migration and securing Europe's external borders</i></b>  Keynote speakers to be confirmed  Debate
13.00	<b>Family photo</b>
13.15	<b>Lunch</b> at the European Convention Center Luxembourg
14.45	<b>Session II - A Digital Single Market Strategy for Europe</b>  Keynote speaker : Mr Andrus Ansip, Vice-President of the European Commission for Digital Single Market (tbc)  Debate
16.15	End of session

Return by bus to the hotels

16.30

**Meeting of COSAC Chairpersons**

Debate on the Draft Contribution and Conclusions of the LIV  
COSAC

Appointment of the Permanent Member of the COSAC  
Secretariat for 2016 and 2017

18.00

Return to the hotels

19.00

Departure by bus from the hotels to the Grand Théâtre de la  
Ville de Luxembourg  
*L-2525 Luxembourg, 1, rond-point Schuman*

19.30

**Dinner** hosted by Mr Mars Di Bartolomeo, Speaker of the  
Chamber of Deputies

22.30

Return to the hotels

**Tuesday 1 December 2015**

8.45

Departure from the hotels

9.15

**Session III - Enlargement policy**

Keynote speaker: Mr Johannes Hahn, Commissioner for  
European Neighbourhood Policy and Enlargement Negotiations  
(tbc)

Debate

10.45

Coffee break

11.15

**Adoption of the Contribution and Conclusions of the LIV  
COSAC**

12.00

**Lunch** at the European Convention Center Luxembourg

14.30

Departure of delegations

Draft Outline 24<sup>th</sup> COSAC Bi-Annual Report

Chapter 1: The Future of Parliamentary Scrutiny of EU Affairs

Building upon the 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup> Bi-annual Reports of COSAC and the recently adopted Contribution of the LIII COSAC, the 24<sup>th</sup> Bi-Annual Report further investigates on how to strengthen the role of national Parliaments in the European decision-making process, notably by improving the "yellow card" procedure and by introducing a "green card" (enhanced political dialogue). Emphasizing that the "green card" would further encourage national Parliaments interested in proactive involvement to make constructive non-binding suggestions regarding policy or legislative proposals to the European Commission, without undermining the Commission's right of legislative initiative under the EU Treaties or its competences in dealing with reasoned opinions, as laid down in Protocol 2 of the Treaty of Lisbon, the aim of the first section is to continue the debate on the "green card".

Considering the Contribution of the LIII COSAC in Riga and the mandate given to the Luxembourg Presidency, this section will continue the work on identifying the scope and procedural framework of the "green card" while ensuring its compliance with the existing Treaty provisions and with the inter-institutional balance of powers. At the same time, it will encourage all willing Parliaments/Chambers, especially the ones that have not presented their views on the introduction of the "green card" and its modalities in the 23<sup>rd</sup> Bi-annual Report, to do so.

The second section will be dedicated to the improvement of the "yellow card" procedure. As highlighted in the Contribution of the LIII COSAC, a majority of Parliaments/Chambers are in favour of issuing a voluntary, non-binding set of best practices and guidelines. The elaboration of a set of informal guidelines on the conduct of subsidiarity checks would render that exercise more efficient and more effective. Therefore, the aim is to collect Parliaments' views on what these best practices could be and what areas the informal guidelines should cover.

Both sections of this chapter shall serve as a basis and facilitate the discussions in the working group of COSAC that the Luxembourg Presidency intends to establish.

## Chapter 2: A European Agenda on Migration

The year 2015 marks both the 30<sup>th</sup> anniversary of the signing of the first Schengen agreement, and the 20<sup>th</sup> anniversary of the entry into force of the second Schengen agreement. Both agreements marked historical milestones in the development of citizens' freedom of movement within the European Union. At the time when this twin anniversary is celebrated, the adoption of a new policy on migration has become one of the urgent objectives of the European Commission. The Communication "A European Agenda on Migration"<sup>1</sup> puts forward different steps the European Union should take towards building a coherent and comprehensive approach towards migration, enabling it to both reap its potential benefits and address its challenges. Apart from immediate actions, the Agenda proposes long-term actions based upon four different pillars which are: 1) Reducing incentives for irregular migration 2) Border management- saving lives and securing external borders 3) Europe's duty to protect: A strong common asylum policy 4) A new policy on legal migration.

The events in the Mediterranean require an urgent solution to avoid further humanitarian tragedies and to ensure the implementation of preventive measures. These tragic events have been widely addressed by national Parliaments and the European Parliament and the first section aims to present an overview of the Parliaments'/Chambers' views of what preventive measures can be taken and put in place.

The second section will seek to gather the Parliaments'/Chambers' views on the immediate actions as proposed by the European Commission, i.e. the temporary European relocation scheme for asylum seekers who are in clear need of international protection and the resettlement scheme of migrants from third countries to EU Member States.

In the third section particular emphasis will be given to a new policy on legal migration in relation to the demographic challenges most European countries are facing resulting in shortages of specific skills and aiming at attracting new talents.

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<sup>1</sup> COM(2015) 240, Communication of the European Commission to the European Parliament, the Council, the European Economic and Social Affairs Committee, the Committee of the Regions, A European Agenda on Migration.



The fourth section will cast light on Parliaments'/Chambers' views on the European common asylum system, and the exchange of best practices of Parliaments'/Chambers in the application of the asylum rules.

### **Chapter 3: Enlargement Policy**

The Political Guidelines of the new European Commission acknowledge the historic success of enlargement policy, which has brought peace and stability to the European continent.<sup>2</sup> In this context, the President of the European Commission further underlined the Commission's commitment to continue the accession negotiations, noting that the Western Balkans needed a European perspective, even if no further enlargement would take place over the next five years. Following this announcement, particular emphasis will be put on the monitoring of the negotiation process.

The first section of this chapter will seek to present Parliaments'/Chambers' views on the progress in enlargement policy, their stand on the abovementioned political approach by the European Commission and its potential impact on the national discourse in the Member States. This section will further address the question if this announcement will have an impact on the procedures put in place in relation to the Monitoring Reports/Annual progress reports or the overall scrutiny on enlargement policy.

The second section of this chapter will put focus on the question whether there have been any notable developments or modifications in the practices and procedures of parliamentary oversight of the accession negotiations since 2013 when the 19<sup>th</sup> Bi-annual report was drafted.

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<sup>2</sup> Political Guidelines for the next European Commission, presented by Mr Jean-Claude Juncker to the European Parliament on 15th July 2014.



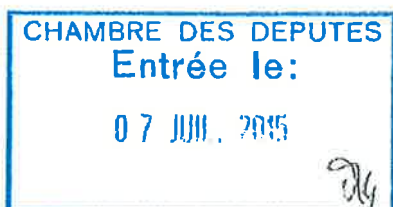
SEJM  
OF THE REPUBLIC OF POLAND

EUROPEAN UNION AFFAIRS COMMITTEE

CHAIRWOMAN

*Agnieszka Pomaska*

Warsaw, 1.07 2015



Mr Marc Angel  
Chairman  
of the Committee  
on Foreign and European Affairs,  
Defence, Cooperation and Immigration

Dear Colleague,

First of all I would like to wish you a successful presidency. I do believe that your contribution to the parliamentary dimension of the presidency will be significant and thus I count on good cooperation between our Committees.

With regard to the decision of the COSAC in Riga to set up a working group on strengthening the political dialogue by introducing a "green card" and improving the reasoned opinion procedure ("yellow card") under the Luxemburgish presidency, I am sending you the final report of the Working Group on the possibility of improving the "yellow card" procedure that I had a privilege to chair last May in Warsaw. The report was slightly amended according to the request of one participant in comparison to the one distributed to the national parliaments before the COSAC in Riga. I hope it will be useful for the future works of the new Working Group set up under the Luxemburgish presidency.

Looking forward to meeting you in Luxembourg,

Yours sincerely,

# Working Group on the possibility of improving the "yellow card" procedure

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## Report of the Working Group

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### Introduction

The decision to set up the Working Group was taken at an informal meeting of the Chairpersons of European Affairs Committees of Parliaments of the EU Member States on the Commission Work Programme (CWP) and the "yellow card", held in Brussels on 19 January 2015, which was upheld at the meeting of the Chairpersons of European Affairs Committees (COSAC) of EU Parliaments in Riga on 1-2 February 2014. The participants of the COSAC Chairpersons meeting in Riga agreed that the work of the Working Group would be headed by Ms Agnieszka Pomaska, Chairperson of the European Union Affairs Committee of the Polish Sejm, with membership composed of interested Chairpersons of European Affairs Committees of Parliaments of the EU Member States and the EP. The Working Group was tasked with exploring the possibility of:

- improving the "yellow card" procedure;
- extending the deadline for reasoned opinions from 8 to 12 weeks within the current Treaties.

The Working Group was asked to present the results of its work during the COSAC conference in Riga.

The Working Group met on 13 May 2015 in Warsaw. It was attended by 14 representatives of national Parliaments/Chambers from 12 EU Member States. The discussion was devoted to four topics proposed in the working paper sent to the national parliaments one month in advance. In reply to the request for comments on the working paper, feedback only from the Chairman of the EU Affairs Commission of the Hungarian Parliament has been received.

The results of the work of the Working Group on various topics are presented below:

- I. Closer involvement and cooperation by national Parliaments in European affairs – better use of the mechanisms available to them
- II. Possibilities for national Parliaments to scrutinize proportionality on an equal footing with subsidiarity

III. Improving the timeliness and quality of the European Commission's responses to reasoned opinions and opinions sent by national Parliaments under the political dialogue

IV. The possibility of extending the deadline for reasoned opinions from 8 to 12 weeks

It should be underlined that all actions proposed by the Working Group are to be taken as complementary to the existing ones, and serve the exchange of information between national parliaments on what they do and what their common ground is, as well as to show the European Commission the strength of the national parliaments as regards issues important to them.

I. Closer involvement and cooperation by national Parliaments in European affairs - better use of the mechanisms available to them

### Background

The EU law provides for direct involvement of national Parliaments in the subsidiarity check of an EU draft legislative act before such an act is adopted (*ex ante* scrutiny). The *ex ante* scrutiny procedure is stipulated in Articles 6 and 7 of Protocol No 2 and it provides for the possibility of a draft legislative act being evaluated by national Parliaments (the "yellow" and "orange card" procedures).

The Treaty framework is complemented by internal acts issued by each Parliament/Chamber and declarations adopted by the Commission, the Council and the EP on the manner of dealing with national Parliaments' reasoned opinions transmitted under the procedure set forth in Articles 6 and 7 of Protocol No 2.

According to the data contained in the IPEX database, during 5 years following the entry into force of the Treaty of Lisbon, 2010-2014, national Parliaments issued and submitted **276 reasoned opinions** on the non-compliance of legislative proposals with the principle of subsidiarity and **2521 other opinions and positions to the European Commission**; and **297 reasoned opinions and 1606 other documents to the European Parliament** <sup>1</sup>.

While the Treaty of Lisbon strengthened the role of national Parliaments in the EU legislative process, they scarcely resorted to the "yellow card" procedure during the 5 years and the early warning mechanism was triggered only twice.

The above data shows that there is a need both for better use by national Parliaments of the Treaty provisions concerning subsidiarity and proportionality scrutiny, and for an enhanced cooperation between national Parliaments themselves with a view to making better use of the mechanisms made available to them. The cooperation can be split into three stages:

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<sup>1</sup> Data for the Commission as at the end of December 2014, based on unofficial information; data for the European Parliament as at 3 March 2015

## Stage 1: From the publication of the Commission Work Programme to the end of March (each year)

In this context, the Working Group has reached agreement as regards the following issues:

- Following the publication of the Commission Work Programme (**further: CWP**) for the **next year in November each year**, national Parliaments, each in line with its own practice and internal procedure of its Chamber, would carry out a scrutiny of this strategic document and identify proposals they consider most important (or controversial). Through individual parliamentary scrutiny of the CWP, each national Parliament (and the European Parliament) is able to select dossiers which are subject to political attention and to further scrutiny. This selection process helps to focus politicians' attention and work, which is crucial for effective parliamentary scrutiny – most Parliaments have neither time nor the capacity to scrutinise the bulk of EU proposals.
- However, not all Parliaments/Chambers have been using this instrument, which makes cooperation with other Parliaments/Chambers in this regard more difficult, and hence does not enable national Parliaments to make full use of their Treaty instruments, weakening their influence on the EU decision-making process. Therefore, in order to increase the influence of national Parliaments on the EU decision-making process, we encourage all Parliaments/Chambers which do not have such a process in place yet, to become involved in the scrutiny of the Commission Work Programme and share information on their own priorities with other Parliaments.
- EU Commissioners should present CWP in the national Parliaments within the first three months after its publication.
- At the same time, the Commission Work Programme should become a permanent item on the agenda of the COSAC Chairpersons meeting in the first semester of each year. The discussion on the CWP during the COSAC Chairpersons meeting should take place in the presence of the Vice-President of the European Commission responsible for relations with the national Parliaments.
- National Parliaments would have **time to analyse the Commission Work Programme by the end of March**.
- Having chosen their priorities from the Commission Work Programme, **national Parliaments/Chambers would inform other Parliaments/Chambers about them** through national Parliaments' representatives in Brussels and through the COSAC Secretariat and the IPEX Information Officer (during the discussion there were doubts as to whether so many communication channels will not result in communication chaos, but the opinion prevailed that it rather constitutes an opportunity for better communication for the national Parliaments/Chambers).
- Based on priority proposals selected by national Parliaments/Chambers, a table of national Parliaments' priorities for a given year should be developed. The table would



be prepared by the IPEX Information Officer in Brussels based on information received from national Parliaments' Representatives in Brussels. Each Parliament could both back and withdraw its support for each priority at any time. A representative of the Dutch House of Representatives presented the table of priorities of the national Parliaments from CWP for 2015, prepared on the basis of the information received from the national Parliaments (Appendix 1). During the discussion it was pointed out that such a table should also include information that the selection of the priorities of individual national Parliaments/Chambers results from their diverse approaches towards subsidiarity, various priorities and political interests.

- On 1 April each year, the table of priorities of national Parliaments would be sent to the European Commission. It seems reasonable for a cover letter to be sent by the COSAC Presidency parliament on behalf of all national Parliaments/Chambers, which would strengthen the operation of the national Parliaments. For its part, the COSAC Secretariat should be involved in preparing the letter and keeping deadlines. At the same time, it should be pointed out that preparation of the joint table does not rule out the possibility for each Parliament/Chamber to send individually its priorities to the European Commission.
- Parliaments/Chambers particularly interested in specific draft legislative act would agree between themselves which of them is to assume the champion's role for a given draft legislative act. The champion's role would be to track the progress of work on a given proposal, signal the date of publication of the draft legal act to other Parliaments/Chambers, initiate informal meetings with other interested Parliaments/Chambers, with the relevant Commissioners, draw the attention of other Parliaments/Chambers to any issues that may give rise to doubt from the national Parliaments' point of view, etc.
- The exchange of information between the champion Parliament and other Parliaments should take place through the national Parliaments' Representatives in Brussels.

The participants of the Working Group meeting did not comment on the proposal to create a dedicated forum on IPEX platform which would be used by the national Parliaments/Chambers to exchange information on CWP. In the Working Paper it was proposed to create a dedicated closed forum on the IPEX platform for the sole use of national Parliaments, which would be administered by the IPEX Information Officer. The documents posted on the forum should include all documents concerning the Commission Work Programme for a given year (the Commission Work Programme itself, lists of priorities of each national Parliament, a table of priorities of national Parliaments, and any correspondence on national Parliaments' priorities contained in the Commission Work Programme). At the same time, the forum should serve national Parliaments as a place for on-going, quick exchange of information, views and for discussions (mainly informal ones) on the different draft legislative acts in the form of chats. The forum should operate in parallel with email communication in order to:

- a) prevent fragmented distribution of information;
- b) collect all information on a given draft legislative act at a single point;

- c) enable all Parliaments/Chambers starting work at different dates to efficiently reach all information on a given draft legal act.

## Stage 2: From the publication of a draft legislative act to the end of the time limit for the subsidiarity check by national Parliaments

Following the publication of a draft legal act, during the 8 weeks given to Parliaments/Chambers for issuing an opinion on its compliance with the principle of subsidiarity, **the champion Parliament role seems to be of key importance**. If we want to achieve enhanced, effective cooperation, the champion Parliament should:

- engage in drawing the attention of other Parliaments/Chambers to any problems found in a given draft legislative act;
- gather all emerging arguments that could be used by other Parliaments/Chambers in the course of their work on a given draft legal act;
- initiate informal meetings of the interested Parliaments/Chambers with the relevant Commissioners;
- possibly coordinate work on triggering the yellow card mechanism.

At this point, it is to emphasise that **the role of the champion is not to represent a group of national Parliaments/Chambers before the European Commission** or other European institutions but only to facilitate the cooperation of the national Parliaments/Chambers on a given draft legislative act in order to increase their effectiveness. **COSAC would remain the only official forum representing the national Parliaments**, but in view of the limited frequency of its meetings it seems necessary to find a formula to intensify the cooperation of national Parliaments/Chambers on European issues so that in their actions they become more active, flexible and pragmatic as regards the objectives they want to achieve.

**Each national Parliament/Chamber issues reasoned opinions in compliance with its internal regulations.** Some Parliaments/Chambers issue reasoned opinions in plenary sessions while in other Parliaments committees are authorised to issue reasoned opinions on behalf of the Chamber. Therefore, it seems impossible to introduce a standard form of reasoned opinion for all Parliaments/Chambers. However, to avoid misunderstandings as to whether a given opinion is a reasoned opinion or only an opinion in the political dialogue, it seems reasonable to **adopt guidelines on the criteria for reasoned opinion**. Such guidelines could be adopted by COSAC and communicated for information to the Conference of Speakers of the European Union Parliaments.

The Working Group participants agreed that guidelines on reasoned opinions should help national Parliaments/Chambers in their work on draft legislative acts. They may not, however, restrict the national Parliaments in their sovereign right to decide about the scope and content of a reasoned opinion but should enable them to help the European Commission identify opinions sent by the national Parliaments as reasoned opinions. In addition, existence

of such guidelines could become a factor which would encourage the national Parliaments/Chambers to exercise more active control of the principle of subsidiarity.

However, it should be noted that some participants presented doubts about what should be the content of such guidelines because of the risk of creating a document that restricts the possibilities given by the Treaty of Lisbon to the national Parliaments on the subsidiarity check.

### Stage 3: After 8 weeks - without a yellow card

If at least 9 reasoned opinions are issued by national Parliaments/Chambers, the relevant EU Commissioner should meet with the Parliaments that have issued reasoned opinions on a given draft legislative act and discuss with them all issues raising doubts on the part of national Parliaments.

An invitation to a meeting could be sent to the relevant Commissioner by all the interested Parliaments/Chambers jointly or through the champion Parliament on behalf of all others.

In the course of further work on a proposal, the Commission should accurately show the impact of reasoned opinions on the final shape of the draft legislative act.

## II. Possibilities for national Parliaments to scrutinize proportionality on an equal footing with subsidiarity

Article 5 of the Protocol No 2 to the Treaty of Lisbon on the application of the principles of subsidiarity and proportionality provides that *"Draft legislative acts shall be justified with regard to the principles of subsidiarity and **proportionality** Any draft legislative act **should contain a detailed statement making it possible to appraise compliance with the principles of subsidiarity and proportionality.**"* Also in terms of the general obligations of institutions (Article 1), the Protocol treats both principles jointly.

The scrutiny of a draft legislative act only for its compliance with the principle of subsidiarity, without taking into account the principle of proportionality, seems ineffective and illogical, and it limits national Parliaments' competence with regard to the principle of subsidiarity itself. It also often seems difficult to separate subsidiarity from proportionality, especially where the significance of the provisions of an act is assessed in terms of the achievement of Treaty objectives. Therefore, despite the fact that articles governing the procedure for the scrutiny of draft legislative acts (Articles 6-7), the legislature makes reference to the principle of subsidiarity only, it seems reasonable for national Parliaments/Chambers to be able to analyse proportionality issues at least to the extent to which they cannot be separated from the subsidiarity scrutiny.

Also the Friends of Presidency Group, in its final report submitted to the Presidency in December 2014, noted that *"when discussing the annual Commission Work Programme, special attention should be paid on the respect of the principles of subsidiarity and proportionality"*, treating the two as inseparable principles.



Having also in mind that the European Commission must apply the Treaties, it is not possible within the current legal framework to send reasoned opinions on the non-compliance of draft legislative acts with the principle of proportionality only.

However, having regard to:

- the letter from the First Vice President of the European Commission Frans Timmermans to the College of Commissioners dated 18 December 2014 in which he announced that 'forging a new partnership with national Parliaments is a priority for this Commission' and
- the letter from the First Vice President of the European Commission Frans Timmermans to the Chairperson of the European Affairs Committee of the Latvian Parliament Lolita Čigāne, holding presidency of the COSAC, dated in January 2015, in which he reaffirmed that "This European Commission is firmly committed to forging a new partnership with national Parliaments – by renewing the existing political dialogue"

it seems we are at the best moment in time to act in order to improve our cooperation with the European Commission.

In this context, the Working Group agreed that:

- The principles of subsidiarity and proportionality are strictly connected with each other, and should be assessed in parallel;
- National Parliaments/Chambers should also include in their reasoned opinions relating to non-compliance with the principle of subsidiarity information on the possible non-compliance of the draft legislative act with the principle of proportionality. In such cases, the European Commission should also refer in its replies to any reservations concerning the non-compliance with the principle of proportionality;
- In the case at least 9 opinions issued by national Parliaments/Chambers on the breach of the principle of proportionality only, the relevant EU Commissioner could meet with the Parliaments that have issued opinions on a given draft legislative act to give them deeper knowledge and better explanation on all issues raising doubts on the part of national Parliaments/Chambers. However, in this case, it should be considered whether precise determination of the number of national Parliaments' opinions will not be a restriction itself.

### III. The possibility of improving the timeliness and quality of the European Commission's response to reasoned opinions and opinions sent by national parliaments under the political dialogue

According to the data contained in the IPEX database, during 5 years following the entry into force of the Treaty of Lisbon, 2010-2014, national Parliaments issued and submitted **276 reasoned opinions** on the non-compliance of legislative proposals with the principle of

subsidiarity and **2521 other opinions and positions to the European Commission; and 297 reasoned opinions and 1606 other documents to the European Parliament**<sup>2</sup>.

While the Treaty of Lisbon strengthened the role of national Parliaments in the EU legislative process, they scarcely resorted to the "yellow card" procedure during the 5 years, triggering the early warning mechanism only twice.

**The first yellow card** referred to **COM(2012) 130**, i.e. *Proposal for a Council regulation on the exercise of the right to take collective action within the context of the freedom of establishment and the freedom to provide services*.

12 Parliaments/Chambers (including the Polish Sejm) representing a total of 19 votes sent a reasoned opinion within the time limit, i.e. by 22 May 2012 (the threshold being 18 votes). Following an analysis, the Commission stated that the subsidiarity principle had not been breached. However, facing the prospect of failure to win sufficient political support in the EP and the Council, it decided to withdraw the proposal on 26 September 2012.

National Parliaments received two letters from Vice President of the Commission Maroš Šefčovič: the first one, dated 12 September 2012, announced the withdrawal of the proposal due to a lack of support, and the second one, dated 14 March 2013, explained briefly why the Commission believed no subsidiarity breach was involved.

**The second yellow card** referred to **COM(2013) 534**, *Proposal for a Council regulation on the establishment of the European Public Prosecutor's Office*.

14 Parliaments/Chambers representing a total of 18 votes sent a reasoned opinion within the time limit, i.e. by 28 October 2013 (the threshold being 14 votes). On 6 November 2013, the Commission confirmed the triggering of the early warning mechanism, and on 12 November 2013 it sent a letter to Speakers of Parliaments confirming, in compliance with the procedure, that the threshold had been reached. On 27 November, the Commission issued Communication COM(2013) 851 to uphold its proposal on the establishment of the European Public Prosecutor's Office as being in compliance with the principle of subsidiarity, and justified its position on 14 pages.

An analysis of all reasoned opinions sent to the European Commission conducted by the Experts from Sejm's Bureau of Research shows that the **main objections of the national Parliaments/Chambers regarding the draft legislative acts concerned:**

- the belief that the objectives of the proposed regulation cannot be sufficiently achieved by the Member States;
- breach of the principle of proportionality being inseparably connected with the principle of subsidiarity;
- reference to an incorrect legal basis;

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<sup>2</sup> Data for the Commission as at the end of December 2014, based on unofficial information; data for the European Parliament as at 3 March 2015

- a lack of justification of a draft legislative act or its insufficient justification with regard to its compliance with the principle of subsidiarity;
- the Commission's breach of its mandate to adopt delegated or implementing acts;
- other.

**An analysis of the European Commission's replies to reasoned opinions** of national Parliaments *"leads to the conclusion that in none of the cases scrutinised has the Commission shared the reservations of national Parliaments. Having regard to the large number of the documents reviewed and the fact that the objections concerned mostly the objective of the proposed regulation, which is essential to the assessment of a subsidiarity breach, it is concluded that the Commission generally does not take into account national Parliaments' opinions"*<sup>3</sup>

The analysis of replies from the European Commission to reasoned opinions has led to the following conclusions:

- the Commission usually comments objections contained in reasoned opinions in formal terms;
- its replies usually (with some exceptions) have a high degree of generality;
- they lack a sufficient in-depth assessment of the issues analysed.

In addition, a review of the European Commission's replies to reasoned opinions shows that **the time it takes the Commission to prepare them varies** from two months to about one year, the average time for drawing up a reply being four to five months.

This shows that there is a strong need to improve cooperation with the European Commission regarding its replies to reasoned opinions of national Parliaments. The new opening in relations with national Parliaments, announced by the First Vice President of the Commission Frans Timmermans, raises hopes that the relations will develop in such a manner as to enable national Parliaments to exercise real influence on EU legislation in line with the prerogatives conferred on them in the Treaties.

In the course of its work, the Friends of Presidency Group has also devoted much time to the issue of the European Commission's replies to national Parliaments' reasoned opinions. In its final report for the Presidency in December 2014, it noted the need *"for the Commission to deal with reasoned opinions of national Parliaments initiating the so-called **"yellow card"** procedure. Several delegations called for a more detailed analysis by the Commission in the event the yellow card procedure is applied, in which analysis the Commission would undertake to carry out an official internal debate, if possible a formal debate by the College, should the yellow card procedure be triggered"*.

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<sup>3</sup> Sejm's Bureau of Research in: *"Parlamenty narodowe wobec zasady pomocniczości w świetle prawa i praktyki Unii Europejskiej"*, Wydawnictwo Sejmowe, Warszawa, 2015

In this context, the working group agreed that in order to improve cooperation with the national Parliaments, the European Commission should:

- Reduce the time for preparation of replies to reasoned opinions to a maximum of 8 weeks. This period should not include the period of summer holidays in August and – if the European Commission adopts such an approach towards reasoned opinions, also – Christmas/ New Year and Easter breaks as well as any non-working periods in the EU Institutions;
- Refer in detail in its replies to all issues raised by national Parliaments in their reasoned opinions;
- Prepare, in addition to individual replies to the Parliaments/Chambers that have sent reasoned opinions, one reply comprising replies to all reservations raised by national Parliaments/Chambers in their reasoned opinions and circulate them to all Parliaments/Chambers of the Member States. Such a collective Commission's reply to all reasoned opinions, sent in the official language of each Parliament, would enable the national Parliaments/Chambers to become acquainted with all replies of the European Commission to reasoned opinions of all national Parliaments/Chambers, which would help:
  - provide national Parliaments with a complete picture of the quality of the Commission's replies;
  - encourage the Commission to exercise greater diligence in preparing its replies;
  - avoid misunderstandings or the Commission being re-approached by a Parliament/Chamber if a more accurate and exhaustive reply to its reservations were found in such a collective reply .

#### IV. The possibility of extending the deadline for reasoned opinions from 8 to 12 weeks

For quite some time, national Parliaments have been discussing the extension of the 8-week deadline within which they can scrutinise draft legislative acts for compliance with the principle of subsidiarity.

The Nineteenth Bi-annual Report: Developments in European Union Procedures and Practices Relevant to Parliamentary Scrutiny prepared by the COSAC and presented to XLIX COSAC on 23-25 June 2013 in Dublin showed that 1/3 of national Parliaments/Chambers find the 8-week period too short to scrutinise legislative proposals for compliance with the principle of subsidiarity in a reliable manner. In their replies, some of them suggested that a 12-week period for internal parliamentary scrutiny of subsidiarity would be better. At the same time, it was pointed out *"that a longer period would not mean a significant slowing down of the European legislative procedure (given its usual duration), but it would provide enough time for the national Parliaments to thoroughly scrutinise subsidiarity. This could also lead to an improvement in the quality of the reasoned opinions"*.

Also in the course of work of the Friends of Presidency Group, the issue of subsidiarity monitoring deadlines was addressed, and a report submitted to the Presidency in December 2014 emphasised that *"a consensus has been achieved on that it is necessary to consider the use of a more flexible interpretation of the respective provisions of the Protocol"*.

In light of the Treaties currently in force, it seems impossible to specifically extend the period given to national Parliaments to examine legislative proposals for compliance with the subsidiarity principle from 8 to 12 weeks. However, the European Commission could take a more flexible approach to the existing provisions of the Treaty.

During the Working Group meeting, its participants agreed on introduction of a more flexible approach of the European Commission to counting the 8 weeks in such a way as to exclude from it Christmas/ New Year and Easter breaks, as is the case with the summer holidays in August. Furthermore, some participants also supported the proposal from the working paper to exclude from the 8-week period any non-working periods in the EU Institutions.

## Summary

The implementation of the above changes requires determination and commitment on the part of national Parliaments as well as good will on the part of the European Commission. We hope that, together with the European Commission's new opening, we will be able to develop a common model of enhanced cooperation that will enable all the existing instruments and mechanisms to be used more effectively.

Warsaw, 1 July 2015



# Priorities National Parliaments Commission Work Programme 2015

## New initiatives

W/Name of the Commission's initiative	Cyprus Vouli ton Anótropon	Czech Republic Poslanecká sněmovna	Czech Republic Senát	Croatia Hrvatski Sabor	Hungary Országgyűlés	Italy Senato della Repubblica	Lithuania Seimas	Netherlands Tweede Kamer	Netherlands Eerste Kamer	Poland Senat	Portugal Assembleia da República	Romania Camera Deputaţilor	Slovak Republic Národná rada	United Kingdom House of Lords
<b>A New Boost for Jobs, Growth and Investments</b>														
1 The Investment Plan for Europe														
2 Promoting integration and employability in the labour market														
3 Mid-term review of the Europe 2020 strategy														
<b>A Connected Digital Single Market</b>														
4 Digital Single Market (DSM) Package														
<b>A Reliable Energy Union with a Forward-Looking Climate Change Policy</b>														
5 Strategic Framework for the Energy Union														
6 Communication on the Road to Paris - multilateral response to climate change														
<b>A Deeper and Fairer Internal Market with a Strengthened Institutional Base</b>														
7 Internal Market Strategy for goods and services														
8 Labour Mobility Package														
9 Capital Markets Union														
10 Framework for resolution of financial institutions other than banks														
11 Aviation Package														
<b>A Deeper and Fairer Economic and Monetary Union</b>														
12 Deepening Economic and Monetary Union Package														
13 Proposal for a Directive with a view to providing for compulsory exchange of information in respect of cross-border rulings														
14 Action Plan on efforts to combat tax evasion and tax fraud, including a Communication on a renewed approach for corporate taxation in the Single Market in the light of global developments														
<b>Trade: A Reasonable and Balanced Free Trade Agreement with the U.S.</b>														
15 Trade and Investment Strategy for Jobs and Growth														
<b>An Area of Justice and Fundamental Rights Based on Mutual Trust</b>														
16 Proposals to complete EU accession to the ECHR														
17 European Agenda on Security														
<b>Towards a New Policy on Migration</b>														
18 European Agenda on Migration														
<b>A Stronger Global Actor</b>														
19 Communication on European Neighbourhood Policy														
20 Communication on the post 2015 Sustainable Development Goals														
<b>A Union of Democratic Change</b>														
21 Proposal for an inter-institutional agreement on better law-making														
22 Proposal for an inter-institutional agreement on a mandatory Transparency Register														
23 Review of the GMD decision-making process														

■ Priority

• Subsidiarity check

Priorities National Parliaments Commission Work Programme 2015  
REFIT actions

N°/Name of REFIT	Type of REFIT	Croatia Hrvatski Sabor	Hungary Országgyűlés	Italy Senato della Repubblica	Lithuania Seimas	Netherlands Tweede Kamer	Netherlands Eerste Kamer	Portugal Assembleia de República	United Kingdom House of Lords
<b>Digital Economy &amp; Society</b>									
14 Study on rules on audiovisual commercial communication for alcoholic beverages	Study								
16 E-Privacy Directive	Evaluation								
18 Telecoms Package	Evaluation								
<b>Employment, Social Affairs, Skills &amp; Labour Mobility</b>									
21 Information and consultation of workers	Legislative initiative: Consolidation, Simplification								
23 Integrating Social Statistics	Legislative initiative: Consolidation, Simplification								
24 Occupational Health and Safety	Evaluation								
25 Part-Time Work and Fixed Term Work	Evaluation								
<b>Environment, Maritime Affairs &amp; Fisheries</b>									
27 Fishing Authorisation Regulation	Legislative initiative: Recast								
28 Simplification of technical measures for the protection of marine organisms	Legislative initiative: Simplification								
30 Common Fisheries Policy	Evaluation								
34 Natura 2000 (Birds and Habitats Directives)	Fitness check								
<b>Health &amp; Food Safety</b>									
43 Food Law	Fitness check								
<b>Internal Market, Industry, Entrepreneurship and SMEs</b>									
55 Forest-based industries	Cumulative Cost Assessment								
57 Late Payment Directive	Evaluation								
<b>Justice, Consumers and Gender Equality</b>									
60 Equal treatment in social security	Evaluation								
62 Legislative framework related to consumer rights and advertising	Fitness check								
<b>Migration, Home Affairs &amp; Citizenship</b>									
63 Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing external borders and those whose nationals are exempt from this requirement	Legislative initiative: Codification								
68 Unauthorised entry, transit and residence	Evaluation								
67 FRONTEX including Rapid Border Intervention Teams	Evaluation								
68 Fight against organised crime	Evaluation								
65 Legal migration	Fitness check								
71 Trade diversion of certain key medicines	Evaluation								

Priority



## CORTES GENERALES

### **NOTA RELATIVA A LA TARJETA VERDE PROPUESTA POR CIERTOS PARLAMENTOS NACIONALES, ELABORADA CON CARÁCTER PREPARATORIO DE LA LIII COSAC QUE SE CELEBRARÁ EN RIGA (LETONIA) DEL 31 DE MAYO AL 2 DE JUNIO DE 2015**

#### **Antecedentes**

En el marco del debate sobre el papel de los Parlamentos nacionales desarrollado tras la entrada en vigor del Tratado de Lisboa en 2009, ciertas Comisiones de Asuntos Europeos han realizado una serie de propuestas concretas para reforzar la posición de los Parlamentos nacionales en el contexto institucional de la UE. Dichas propuestas se refieren a cuestiones como el procedimiento de tarjeta amarilla y el control del principio de proporcionalidad, previstos en los Tratados, y otros como la selección de prioridades del Programa de trabajo de la Comisión europea, y en los últimos dos años, la propuesta de una nueva tarjeta verde.

En relación con estos temas, han tenido lugar una serie de debates tanto en la COSAC como en reuniones de aquellos Parlamentos que ha mostrado especial interés en reforzar la cooperación interparlamentaria, como la organizada por el Parlamento holandés en Bruselas el 19 enero 2015 o la reunión de Varsovia de 13 de mayo de 2015, a la que en representación de las Cortes Generales asistió el diputado Sr. José López Garrido (GP).

La próxima edición de la LIII COSAC, que se celebrará en Riga (Letonia) abordará en su sesión IV, el martes 2 de junio de 2015 por la mañana, el tema de la tarjeta verde, cuyos puntos principales se desarrollan brevemente en la presente nota.

#### **Propuestas de una tarjeta verde**

El concepto de tarjeta verde ha sido definido por los tres parlamentos nacionales que han propuesto su introducción: el Parlamento holandés (Segunda Cámara), el Parlamento danés y la Cámara de los Lores. El Parlamento danés concibe la tarjeta verde como un instrumento para modificar propuestas legislativas ya publicadas, mientras que los Lores y la Segunda Cámara holandesa lo ven como un modo de proponer nuevas iniciativas legislativas a la Comisión europea. En todo caso, la propuesta de la Cámara de los Lores es considerada *de facto* como base del debate por la mayoría de Parlamentos nacionales.

La posición de la **Cámara de los Lores** fue recogida en el informe "[El papel de los Parlamentos nacionales en la UE](#)", de marzo de 2014, que planteaba la tarjeta verde como el fruto de la colaboración de varios Parlamentos nacionales con el objetivo de presentar una propuesta de iniciativa legislativa a la Comisión europea. Las líneas generales de esta propuesta fueron apoyadas





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por los Presidentes de las Comisiones de Asuntos Europeos de la Asamblea y el Senado franceses, por la Segunda Cámara holandesa, el Parlamento danés e incluso fue bien recibida en el gabinete del entonces presidente del Consejo europeo, Sr. Van Rompuy.

Lord Boswell concretó el modelo de tarjeta verde por carta de 28 enero de 2015, recogiendo las conclusiones de la citada reunión del 19 de enero en Bruselas. Este modelo de tarjeta verde, adjunto a la presente nota en el anexo único, propone una regulación europea para los desechos alimenticios, en el marco del paquete de economía circular previsto por la Comisión europea. Para aumentar la repercusión de la tarjeta verde, esta debería ser presentada por un Parlamento líder, que coordinaría al resto de Cámaras hasta alcanzar un cuarto de Parlamentos. Este modelo británico no prevé la posibilidad de que un Parlamento nacional pueda vetar una propuesta de tarjeta verde. Una vez presentada la tarjeta verde, la Comisión europea tendría que responder en un plazo indicativo de 3 meses.

En cuanto a la posición de la **Segunda Cámara holandesa**, presentada en octubre de 2013, en el informe "Legitimidad democrática en la UE y el papel de los Parlamentos nacionales", en el que partiendo de la existente tarjeta amarilla, se proponía el nuevo mecanismo de la tarjeta verde por el que los Parlamentos nacionales podrían proponer nuevas políticas a la Comisión europea, así como la modificación o retirada de legislación ya en vigor.

El **Parlamento danés** presentó en enero de 2014 un informe titulado "23 Recomendaciones para reforzar el papel de los Parlamentos nacionales en un contexto de gobernanza europea cambiante". En él se destaca la importancia de la apropiación nacional de las decisiones europeas, y el papel de los Parlamentos nacionales en el acercamiento de la UE a sus ciudadanos. La primera de dichas 23 recomendaciones propone que un tercio de Parlamentos nacionales puedan invitar a la Comisión europea a presentar una nueva legislación o modificar una existente. La segunda recomendación es la introducción de una tarjeta verde, que permitiría a los Parlamentos revisar y comentar el contenido de una propuesta en un plazo de 10 semanas. Si un tercio de los Parlamentos nacionales acordara modificar la propuesta, la Comisión europea debería tener en cuenta dicha opinión, y dar explicaciones en caso de que, pese a ello, decidiera no modificar su propuesta. Si los Parlamentos no logran coordinarse en el plazo de 10 semanas, la propuesta continuaría automáticamente su tramitación legislativa.

### **Posición del resto de Parlamentos nacionales y de las instituciones europeas**

El [23º informe semestral de la COSAC](#) analiza, en su capítulo 2, sección B, la opinión de los Parlamentos nacionales sobre la propuesta de una tarjeta verde. La gran mayoría de los Parlamentos apoyan la idea de desarrollar esta idea, en la medida en que implique profundizar en el diálogo político sin modificar formalmente los Tratados.



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La mayoría de los Parlamentos no apoya sin embargo la participación del Parlamento Europeo en el procedimiento de tarjeta verde, dado que el art. 225 TFUE ya prevé el derecho del Parlamento Europeo de pedir a la Comisión europea que presente propuestas legislativas.

En cuanto a la posición de la **Comisión europea**, la nueva Comisión Juncker se ha mostrado más atenta a los Parlamentos nacionales que la anterior. De hecho, la cooperación con los Parlamentos nacionales fue incluida en las cartas detallando las funciones de cada Comisario, antes de su nombramiento, y el incremento en el número de visitas de los Comisarios a los Parlamentos en los últimos meses constata este nuevo enfoque.

En relación con la propuesta de una tarjeta verde, el Vicepresidente Timmermans escribió en febrero de 2015 a la Presidenta de la Comisión de Asuntos Europeos letona: *"la Comisión se muestra siempre dispuesta a tener en cuenta y debatir todas las sugerencias constructivas de los sectores interesados en cada política, incluidas las ideas de cualquier Parlamento que considere que existen áreas en las que la acción de la UE podría suponer un valor añadido."* El objetivo de la Comisión europea sería por tanto mantener tanto su consolidado derecho de iniciativa legislativa como el equilibrio de poderes entre el Consejo y el Parlamento Europeo, dando la bienvenida a propuestas de un Parlamento, no de un grupo de Parlamentos coordinados.

Por otra parte, la Comisión europea publicó el 19 de mayo su [Programa para la Mejora de la legislación](#), en el que se somete a los Libros Verdes, a las propuestas de actos legislativos y los actos delegados a un control más amplio por parte de todos los sectores interesados durante 8 semanas, en paralelo al plazo de control de subsidiariedad. Cabe la posibilidad de que la Comisión europea intente reconducir la propuesta de una tarjeta verde a dicho plazo de consulta más amplia de todos los interesados, confirmando que no consideran posible que los Parlamentos nacionales puedan presentar propuestas de iniciativa legislativa pero al mismo tiempo aceptando escuchar los comentarios de los Parlamentos nacionales sobre sus propuestas legislativas. Sin embargo, de manera informal, la posición de la Comisión es que los Parlamentos deberían actuar, y comprobar qué reacción provoca la presentación de una tarjeta verde.

El **Parlamento Europeo** no apoya ninguna propuesta que pudiera minar su posición, pero en el informe semestral de la COSAC la Comisión Constitucional (AFCO) se muestra abierta a un acuerdo informal sobre la tarjeta verde que no implicara el establecimiento de un nuevo procedimiento.

Carmen Sánchez-Abarca Gornals

Bruselas, 27 mayo 2015

Letrada de las Cortes Generales ante la Unión Europea



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## ANEXO ÚNICO

**Modelo de tarjeta verde propuesto por Lord Boswell el 28 abril 2015 (desechos alimenticios, lengua inglesa).**

President Juncker  
European Commission  
Rue de la Loi / Wetstraat 200  
1049 Brussels  
Belgium

July 2015

Dear President Juncker

### **Food waste: a proposal by national parliaments to the European Commission**

The [XX] national parliaments of the European Union, represented by the Chairpersons of Committees who have signed this letter, collectively make this proposal to the European Commission. Our aim is to invite the Commission, when tabling a new circular economy package, to adopt a strategic approach to the reduction of food waste within the EU.

This proposal was initiated by the United Kingdom House of Lords: in [June] 2015 it was sent to the Chairpersons of Committees in the national parliaments of the European Union, inviting them to signify their support no later than [XX] July, thereby allowing the proposal to be issued before the start of August.

As well as inviting you to adopt the approach to food waste set out in the proposal in the new Circular Economy package, we hope that this initiative will establish a new and closer political dialogue between national parliaments and the European Commission. Such a dialogue, often referred to as a 'Green Card', will allow national parliaments to contribute positively and constructively to the development of policies at EU level.



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At the outset of your Presidency, you made a commitment to the role of national parliaments which was sincerely welcomed by Member States. We believe that this new form of dialogue reflects the spirit of your commitment, and will help national parliaments to engage in policy development upstream, working with the Commission more closely than ever before.

We emphasise that we do not seek to infringe upon the Commission's right of initiative, but to complement it; nor do we seek to challenge the existing role of the European Parliament, or the duties of the co-legislators in agreeing legislation. But we ask that, when at least a [quarter] of national parliaments have come together in support of a proposal such as this one, the Commission should give due weight to that proposal, and respond appropriately within a [three-month] or other appropriate time-frame.

In the present case, we would welcome a response ahead of the publication of Commissioner Vella's proposed circular economy package, and ask also that our proposal be acknowledged and assessed within that package.

**Yours sincerely,**

**Lord Boswell of Aynho**  
**Chairman of the House of Lords European Union Committee**



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## **Food waste: a proposal by national parliaments to the European Commission**

### *Introduction*

1. It has been estimated that 89 million tonnes of food are wasted each year in the EU, a figure which could rise to approximately 126 million tonnes by 2020 if no action is taken. The global carbon footprint of wasted food has been estimated as more than twice the total greenhouse gas emissions of all road transportation in the US in 2010.
2. The European Parliament adopted a resolution on 19 January 2012 on how to avoid food waste, which recommended that the European Commission take practical measures towards halving food waste by 2025. The Commission, in its Roadmap to a Resource Efficient Europe, in 2011, recommended that disposal of edible food waste should be halved by 2020. At that stage, the Commission also promised a Communication on Sustainable Food, which was due to be published in 2014. A public consultation on the topic was held in summer 2013. A summary of the responses was subsequently published.<sup>1</sup> Those responding were clear that there is an important EU role in preventing and reducing food waste.
3. In July 2014, the circular economy package was proposed, including an aspirational food waste target. Member States were to develop national food-waste prevention strategies and to endeavour to ensure that food waste in the manufacturing, retail/distribution, food service/hospitality sectors and households was reduced by at least 30% by 2025.<sup>2</sup> This proposal was formally withdrawn by the new Commission, with the intention of tabling a revised proposal by the end of 2015.

<sup>1</sup> <http://ec.europa.eu/environment/eussd/food.htm>

<sup>2</sup> An Impact Assessment was published in September 2014 on the aspects of the circular economy proposal addressing food waste (SWD(2014)207)



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4. Tackling food waste is a multi-faceted challenge. Some excellent work is being undertaken at national level, and some collaborative work between EU Member States, but there is substantial room for improvement. An overarching strategy – in the form of the Communication on Sustainable Food – was promised, but never delivered, by the previous Commission. In the light of an increasingly interconnected and international food industry, an EU-level strategy could help to ensure a coordinated approach to tackling this issue.

### *Recommendation*

5. We call on the European Commission, when tabling a new circular economy package, to adopt a strategic approach to food-waste reduction, including the following five elements:
  - i. **EU Food Donation Guidelines** for food donors and food banks. In line with the waste hierarchy, unsold food should – in the first instance – be re-distributed for charitable purposes. Guidelines might cover compliance with relevant hygiene and labelling legislation and co-operation between Member States, businesses and charities in order to identify and deliver food re-distribution initiatives;
  - ii. An **EU co-ordination mechanism** to support the sharing of best practice between Member States on food waste prevention, reduction and management strategies, including research and innovation, promoting high value use of food waste and practical ways to encourage consumers and industry to prevent and reduce food waste;
  - iii. European Commission **monitoring of the business-to-business cross-border food supply chain**, following the welcome establishment of



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the cross-sector Supply Chain Initiative,<sup>3</sup> with the objective of avoiding unfair practices that lead to the wastage of food and of encouraging collaboration in the supply chain to prevent and reduce food waste;

- iv. A European Commission **Recommendation on the definition of food waste and on data collection**, building on the work of the EU-wide project, FUSIONS (Food Use for Social Innovation by Optimising Waste Prevention Strategies) in the area of definitions in particular;<sup>4</sup> and
- v. Establishment of a **horizontal working group within the Commission** to assess the consideration of food waste within policy making across the Commission.

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<sup>3</sup> <http://www.supplychaininitiative.eu/>

<sup>4</sup> FUSIONS, *Definitional Framework for Food Waste*, 3 July 2014: <http://www.eu-fusions.org/index.php/publications>



Luxembourg, 29 June 2015

Dear colleagues,

LIII COSAC invited the Luxembourg Presidency to set up a working group on strengthening the political dialogue by introducing a "green card" and improving the reasoned opinion procedure ("yellow card").

Having regard to the "green card", the idea is to continue the work on identifying its scope and procedural framework while ensuring its compliance with the existing Treaty provisions and with the inter-institutional balance of powers and taking into account the green card proposal on Food Waste as described in a letter dating 12 June 2015 from Lord Timothy Boswell, Chairman of the House of Lords' European Union Committee.

Concerning the "yellow card", COSAC decided to further explore ways in which national Parliaments could make better use of the mechanisms available to them, taking into account proposals discussed by the working group which took place in Warsaw on 13 May 2015.

Delegates furthermore favoured better cooperation and coordination between national Parliaments in the conduct of subsidiarity checks. The idea of issuing an informal, voluntary and non-binding set of best practices and guidelines on how to draft reasoned opinions and contributions in the context of political dialogue was also addressed.

These guidelines should be elaborated within the framework of COSAC, taking into account the views expressed by Parliaments / Chambers not to standardise the format in which reasoned opinions and political dialogue contributions are drafted and submitted to the European Commission as well as the intention to leave these formal matters within the competence of respective Parliaments and their established internal procedural practices.

In order to set up the above-mentioned working group, COSAC Chairpersons should address the following aspects :

1) Composition of the working group

The Presidency suggests that each Parliament / Chamber of the Member States as well as the European Parliament should be represented at political level by one member, accompanied by one member of staff.

## 2) Scope

The working group should address the "green card" and the reasoned opinion procedure as decided during LIII COSAC in Riga. The Presidency suggests to also include in the discussions the idea of establishing non-binding guidelines on the drafting of reasoned opinions. The same could be done concerning contributions in the context of political dialogue.

## 3) Frequency of meetings

In order to limit costs, the Luxembourg Presidency suggests that meetings of the working group should be organized before or after COSAC meetings, by the Parliament of the Member State holding the Presidency.

## 4) Language regime

Simultaneous interpretation will be provided in English and in French, documents being circulated in the same languages.

## 5) Secretariat

The secretariat of the Presidency Parliament shall provide the secretariat for the working group assisted by the COSAC Secretariat.

Yours sincerely,

Marc Angel  
Chairman of the Committee on Foreign and European Affairs,  
Defence, Cooperation and Immigration