

## **Contribution of the LIII COSAC**

Riga, 31 May – 2 June 2015

### **1. EU Energy and Climate Policy**

1.1. COSAC recognises the outstanding nature of challenges associated with the energy sector in the EU, in particular the high dependency of EU Member States on imported energy resources, and therefore emphasises the importance of solidarity, trust and enhanced coordination in dealing with risks and challenges.

1.2. COSAC emphasises the key importance of optimising energy flows and energy consumption, as increased energy efficiency has a key role in reaching this goal. Moderation of energy demand, as well as treating energy efficiency as an energy source in its own right, are keys to achieving the energy policy goals of the EU. Furthermore, higher energy efficiency contributes to the reduction of greenhouse gas emissions and to achieving the EU's climate targets, the importance of which cannot be stressed enough ahead of the 2015 UN climate change negotiations in Paris.

1.3. Underscoring the importance of climate-related actions, COSAC welcomes the suggested framework for a transparent and dynamic global agreement, containing fair and ambitious commitments from all Parties based on evolving global economic and geopolitical circumstances set forth in the Communication of the Commission entitled *The Paris Protocol – A blueprint for tackling global climate change beyond 2020* that was tabled together with the Energy Union framework and refers to decarbonisation of the economy as a whole. Further efforts are needed to de-couple economic growth from energy consumption, including by using regulatory instruments at the Union level.

1.4. COSAC notes the role of research and technological innovation in boosting the competitiveness of Europe's energy sector and the economy as a whole. Moreover, new solutions which enable for more efficient use of renewable energy resources, as well as the application of smart technologies to the production, supply and balancing of energy demand and supply, should be the key elements of the EU's future energy landscape. Distributed energy production should be encouraged and supported while keeping fine balance between fixed and market-based support mechanisms and taking into account market penetration of particular energy technologies.

1.5. COSAC acknowledges that a fully integrated European energy market can be achieved only through proactive and simultaneous development of energy infrastructures, as well as the implementation and application of EU energy regulations. Some Member States can still be regarded as energy islands and therefore require particular attention, including financing, to end their isolation from the EU energy markets. Therefore, COSAC calls upon the European Commission to take steps that will facilitate development of necessary interconnections, and strongly encourages Member States to implement the EU legislation that sets the framework for introduction of a fully and effectively functioning internal energy market for electricity and natural gas. The better and the more efficiently an increasingly integrated EU-wide energy market operates, the better the odds of protecting energy consumers and alleviating energy poverty. COSAC notes the importance of the EU Member States reviewing and diversifying their energy supplies from third countries.

1.6. COSAC calls for greater EU involvement in supporting the development of recently discovered indigenous resources that could provide energy for the entire EU.

1.7. COSAC acknowledges that member states should enjoy flexibility deciding on their energy mix to ensure continuous supply of electricity at reasonable prices and facilitate meeting the EU decarbonisation targets.

1.8. In this context, COSAC welcomes the initiative for establishing the European Energy Union with the strategic goal to achieve greater energy security, sustainability and competitiveness. COSAC calls for a resolute support to the 15 action points of the European Energy Union as stated in the Communication from the European Commission on a Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change policy<sup>1</sup> supported by the Roadmap for the Energy Union.

1.9. COSAC considers in this regard that the successful model of the Coal and Steel Community should be the reference, notably from the institutional point of view, of the European Energy Union.

### **2. Parliamentary Scrutiny of EU Affairs**

2.1. COSAC reaffirms its belief that the involvement of national Parliaments in the European decision-making process strengthens the overall democratic legitimacy of the EU, and welcomes the continuing debate on the current and future role of Parliaments and the scope of parliamentary scrutiny of EU affairs.

2.2. COSAC emphasises that there is a general willingness of national Parliaments to play a stronger role in the EU through full and efficient use of the existing mechanisms, such as general scrutiny of their respective Governments, subsidiarity control, contributions in the framework of political dialogue and inter-parliamentary cooperation.

2.3. COSAC welcomes the Conclusion of the EU Speakers Conference in Rome on 20-21 April 2015 which express the interest of the Speakers in the debate on the role of the institutions and national Parliaments of the EU, taking place within the COSAC, including the discussions on strengthening the instruments of political dialogue. COSAC takes note that, according to the Conclusions, discussion on these matters will be taken up again at the 2016 Conference of Speakers, at which the outcome of the discussions of COSAC will also be taken into consideration.

2.4. Moreover, COSAC notes that the 22nd Bi-Annual Report indicated that a majority of the responding Parliaments would be favourable to the creation of new tools enabling parliamentary involvement and cooperation without formal Treaty amendments. In this context, COSAC acknowledges that there is broad support from the Parliaments for initiatives, such as introduction of the "green card", also referred to as "the enhanced political

dialogue"; furthermore, COSAC takes note of the ongoing debate which should lead to a more focused and stronger parliamentary scrutiny of European Commission's annual work programme.

2.5. COSAC invites the European Commission to support the Parliaments' willingness to play a more proactive role and to engage with both the existing and new forms of cooperation in full compliance with the applicable provisions of the existing EU treaties, notably Protocol 2 of the Treaty of Lisbon, and the current inter-institutional balance, in the spirit of its previously announced commitment to forging a new partnership with national Parliaments. In this respect, COSAC welcomes the initiative of the new European Commission to coordinate and strengthen the interaction of all Commissioners with national Parliaments, as well as individual commitments of Commissioners to increase the frequency of meetings with national Parliaments in order to discuss legislative proposals and/or other initiatives of the Commission and to take an active part in formulating more timely responses to the contributions from the national Parliaments.

2.6. COSAC takes note of the discussions that took place in Warsaw on 13 May within the framework of the informal Working Group, as well as the submission of the Report of this Working Group on the possibility of improving the "yellow card" procedure. COSAC looks forward to further exploring ways in which national Parliaments can make better use of the mechanisms available to them, taking into account proposals discussed by this Working Group.

#### *On subsidiarity checks*

2.7. COSAC would welcome better cooperation and coordination between national Parliaments in the conduct of subsidiarity checks. With a view to rendering this exercise more efficient and effective, COSAC discussed the possibility of elaborating informal guidelines on the conduct of subsidiarity assessment and the reasoned opinion procedure. The majority of Parliaments whose views are presented in the 23rd Bi-Annual Report have expressed their support to issuing a voluntary, non-binding set of best practices and guidelines on the subsidiarity check to be elaborated within the framework of COSAC; COSAC invites Parliaments to closely cooperate towards the elaboration of such informal guidelines.

2.8. However, COSAC emphasises that there is a clear preference of Parliaments not to standardise the format in which reasoned opinions and political dialogue contributions are drafted and submitted to the European Commission, and underlines that these formal matters should be left within the competence of respective Parliaments and their established internal procedural practices.

#### *On the "green card" (enhanced political dialogue)*

2.9. COSAC believes that, in addition to the existing forms of parliamentary scrutiny and involvement, the "green card" would constitute a valuable opportunity for willing national Parliaments to play a proactive role in the EU agenda-setting process with a view to contribute further to the good functioning of the EU.

2.10. COSAC emphasises that the "green card" would enhance the existing political dialogue and 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. In view of the support expressed by the vast majority of the responding Parliaments to the introduction of the "green card", as reflected in the 23rd Bi-Annual Report, COSAC invites the Luxembourgish Presidency to continue the work on identifying its 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.

2.11. COSAC acknowledges the fact that some national Parliaments would not be able to use the "green card" due to internal constitutional restrictions on their power in EU affairs, or any other reason.

2.12. COSAC highly values the European Commission's constructive commitment to political dialogue with national Parliaments and hopes that in this spirit it will support the "green card" as a new enhanced form of political dialogue.

#### *Establishing a COSAC Working Group under Luxembourgish Presidency*

2.13. COSAC invites the Luxembourgish 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").

#### *On the programming of the European Commission*

2.14. COSAC takes note of the ongoing debate on enhanced cooperation and exchange of views between the Parliaments and EU institutions involved in relation to the European Commission's annual and multiannual planning of work, as well as the recent cluster meetings of the willing Parliaments interested in seeking to define the scope and practical aspects of such cooperation.

#### *On cooperation with the European Parliament*

2.15. COSAC welcomes the new idea of cooperation put forward by the European Parliament which enables interested Parliaments to voice their positions and share background knowledge on implementation of EU legislation that the European Commission intends to amend. COSAC notes that Parliaments have broadly expressed their willingness to exchange best practices and share ideas on parliamentary monitoring on transposition, implementation and enforcement of EU law with the European Parliament while emphasising the position of some national Parliaments that such monitoring lies within the competence of the executive and/or the European Commission.

2.16. COSAC looks forward to strengthening the political dialogue between national Parliaments and the European Parliament on selected legislative dossiers, among others, by enhancing cooperation between the rapporteurs of the European Parliament and national Parliaments.

### **3. EU Trade Policy and the Role of Parliaments**

#### *On the future of EU trade policy*

3.1. COSAC emphasises that free trade and exchange of goods and ideas have historically contributed to reducing tensions, building confidence and establishing peace and prosperity; therefore, COSAC expects the ongoing and future EU trade negotiations with its strategic partners to tap into this long-established tradition.

3.2. COSAC calls on the European Commission to deliver an ambitious future trade strategy aimed at creating economic opportunities for EU citizens, delivering lasting and durable prosperity in the EU and around the world, and setting high international and global standards based on the values laid down in the EU Treaties.

#### *On the role of Parliaments in EU trade policy*

3.3. COSAC notes that EU negotiations on free trade agreements with third countries have recently generated a lot of interest among EU Member States and welcomes the debate on the role of Parliaments in this process; nevertheless, it calls for a greater involvement of national Parliaments from the outset. In this context, COSAC takes note of the Conclusions of the Presidency of the Conference of the Speakers of the European Union Parliaments held in Rome on 20-21 April 2015 on this matter.

3.4. COSAC invites the European Commission to engage in active dialogue with national Parliaments taking into account that Parliaments use different systems to scrutinise individual EU trade and investment agreements with third countries.

3.5. COSAC recognises the increased role of the European Parliament with regard to EU trade policy since the coming into force of the Lisbon Treaty and looks forward to full-fledged cooperation and information exchange between national Parliaments and the European Parliament on trade issues that benefit EU citizens.

#### *On TTIP*

3.6. COSAC welcomes the ongoing free trade negotiations between the EU and the U.S. towards reaching a comprehensive and ambitious TTIP agreement, as well as the potential positive impact of the agreement on the EU and U.S. economies in terms of more opportunities for growth and employment.

3.7. COSAC stresses that the EU has set and enforces high standards on food safety, health, animal welfare, the environment, labour, consumers and data protection; therefore, COSAC calls on the European Commission to safeguard these standards and to anchor them globally while ensuring effective free trade through removal of unnecessary regulatory barriers and increased regulatory cooperation.

3.8. COSAC calls on the European Commission to continue to assist EU workers if and where job displacement does occur in the short term, by means of the European Globalisation Adjustment Fund.

3.9. COSAC notes that the majority of Parliaments have held debates on TTIP in a wide variety of fora and many intend to carry on with further discussions; in this regard, COSAC stresses the important role of Parliaments in ensuring the democratic legitimacy and further transparency of the TTIP negotiation process and raising the awareness among citizens.

3.10. Moreover, COSAC urges the governments of EU Member States to step up their communication on the opportunities and challenges of TTIP and other free trade agreements currently being negotiated, thus keeping their citizens informed on the potential economic impact of TTIP on their respective economies.

3.11. COSAC welcomes the transparency initiative for TTIP negotiations launched by the European Commission in November 2014 which upholds and promotes openness and information sharing with all stakeholders; COSAC believes that information on the progress of negotiations needs to be delivered in a more detailed and transparent way than has hitherto been the case while striking the right balance between the provision of information to Parliaments, their involvement in the negotiation process and ensuring the necessary confidentiality of the negotiations.

### **4. Fight against Terrorism and EU-Wide Passenger Name Record Framework**

4.1. COSAC welcomes the Statement by the members of the European Council adopted at the informal meeting held in Brussels on 12 February 2015 expressing a commitment to step up action against terrorist threats in full compliance with human rights and the rule of law.

4.2. COSAC acknowledges the need for better implementation and further development of already existing tools; it calls on the Commission and the Council to conduct a comprehensive evaluation of the EU's counter-terrorism and related measures, in particular as regards the implementation thereof in law and in practice in the Member States and the degree to which the Member States cooperate with the EU's agencies in the area, notably Europol and Eurojust and to introduce this evaluation process as part of the European Agenda on Security; it highlights the importance of agreeing on a single EU-wide framework for Passenger Name Record data as one of the most urgent counter-terrorism measures.

4.3. COSAC invites all relevant EU institutions to reach an agreement on the proposal for a directive on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime, thus ensuring enhanced security for all EU citizens while observing the standards enshrined in the EU Charter of Fundamental Rights; COSAC stresses that all data collection and sharing,

including by EU agencies such as Europol, should be compliant with EU and national law and based on a coherent data protection framework offering legally binding personal data protection standards at an EU level.

4.4. COSAC invites the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the Commission (HR/VP) to give anti-terror measures substance and high priority, in accordance with the risk they represent.

## **5. Security Concerns in the Middle East and North African Region**

5.1. COSAC draws attention to the enormous challenges that the situation in the Middle East and Northern Africa (MENA) region is posing to the EU, namely military or other interventions, civil wars or other conflicts, the expansion of terrorist organisations and the catastrophic human tragedies brought about by massive migrant smuggling in the Mediterranean. Appalled by the scale of the recent tragedies in the Mediterranean, COSAC expresses deepest condolences to the families of victims.

5.2. COSAC notes that EU is in the process of developing its comprehensive approach towards the challenges occurring in the Mediterranean basin and, in particular, to cross-Mediterranean migration, and underlines that it has a responsibility to take all steps necessary to prevent recurrence of tragedies such as those recently witnessed in the Mediterranean; COSAC calls for a robust and permanent humanitarian European rescue operation, which, like Mare Nostrum, would operate on the high seas and to which all Member States would contribute; COSAC urges the EU to co-fund such an operation.

5.3. In this context, COSAC welcomes the conclusions of the extraordinary European Council of 23 April 2015 and calls upon the European Council to fulfill its commitment to take a number of specific measures aimed at strengthening the EU's presence at sea, fighting traffickers in accordance with international law, preventing illegal migration flows and reinforcing internal solidarity and responsibility. COSAC takes note of the European Council's statement that the EU's immediate priority is to prevent more people from dying at sea and emphasizes EU's duty to protect and save lives. In this context COSAC underlines the importance of legal routes to access asylum in the EU. COSAC notes the joint responsibility to receive and accept people in need. COSAC acknowledges that some Member States are accepting more refugees and immigrants than others and that this is placing significant burdens on the resources and finances of these Member States.

5.4. COSAC stresses the need to develop joint measures in close cooperation with the relevant EU agencies against criminal networks of migrant traffickers, in order to prevent them from financially benefiting from placing lives at risk, including freezing and confiscating their assets; COSAC calls on the HR/VP and the European Commission as a whole to work together with relevant EU and UN agencies and international organisations to increase cooperation with the countries of origin and transit.

5.5. COSAC welcomes the European Commission's Communication on the European Agenda for Migration and underlines that this document should enable developing a more systemic and geographically comprehensive approach to migration. Following the latest humanitarian tragedies in the Mediterranean, COSAC welcomes Commission's efforts to show the strongest possible ambition and propose common European solutions in the spirit of solidarity and fair sharing of responsibility, as stated in Article 80 of the Treaty on the Functioning of the European Union aiming at saving lives and dismantling criminal smuggling networks. COSAC calls for a rapid and full transposition and effective implementation of the Common European Asylum System by all participating Member States, thereby ensuring common European standards, including reception conditions for asylum seekers and respect for fundamental rights, as envisaged under existing legislation.

5.6. COSAC strongly condemns the barbaric killings of innocent civilians by terrorists in Libya, Tunisia, Syria, Iraq and elsewhere in the MENA region. COSAC calls for renewed efforts towards close cooperation with the Muslim countries in the region to defeat the self-proclaimed Islamic State of Iraq and the Levant (*Da'esh*) and various Al-Qaeda affiliated terrorist organisations. COSAC emphasises that the expansion of *Da'esh* close to the borders of Europe is a major pan-European challenge that calls for the immediate engagement of the whole European Union.

5.7. COSAC welcomes the efforts of the HR/VP in supporting the UN-led negotiations aimed at establishing a government authority in Libya and permanent peace in the region.

5.8. By highlighting the importance of the MENA region and considering that migration is a global and complex phenomenon, COSAC calls for a holistic EU approach towards tackling the roots of security challenges in the region, such as poverty, inequality, ethnic and other conflicts, foreign invasions and interventions in domestic affairs, terrorism, oppression, illiteracy, youth unemployment and radicalisation by strengthening the coherence of its common foreign and security policy, development policy and migration policy. COSAC urges the EU, its Member States and the international community to contribute to peace, economic, social and democratic development in the countries of origin and to provide immediate humanitarian assistance, relief and protection for people in these countries and, in the longer term, help with investments and structural reforms in those countries.

## **6. Outcomes of the Eastern Partnership Summit**

6.1. COSAC welcomes the results of the Riga Summit and reiterates the principal role of the Eastern Partnership as an important dimension of the European Neighbourhood Policy. COSAC highlights the importance of the Eastern Partnership as a joint political platform which greatly contributes to the processes of reforms and democratisation in the Eastern European partner countries, while fully respecting and responding to the level of ambitions and goals of each respective Partner country to develop and deepen their relations with the European Union.

6.2. COSAC concurs with the positive assessment of the implementation of the Association Agreements given in the Riga Declaration, especially the positive aspects which the application of the Deep and

Comprehensive Free Trade Area (DCFTA) has had on the increase in trade between the EU and Georgia and Moldova and consequently looks forward to the successful implementation of the DCFTA with Ukraine starting from 1 January 2016.

6.3. Likewise, COSAC supports the Riga Declaration on the enhanced mobility of citizens as a core objective of the Eastern Partnership. COSAC welcomes the positive effect of people-to-people contacts that the visa free regime has already brought in Moldova and hopes that following the implementation of all required reforms in Georgia and Ukraine the European Commission will give a positive assessment of the progress in the implementation of their Visa Liberalization Actions Plans by the end of 2015.