AFCO Newsletter

May 2015 (Issue 4)
Committee on Constitutional Affairs (AFCO)
European Parliament

Introductory words by Danuta Maria HÜBNER

Dear Readers,

I am happy to present to you this fourth issue of the AFCO Newsletter, a tool prepared by the secretariat which aims to inform about AFCO activities and increase awareness on institutional challenges that the EU is facing.

At our meeting on 5 May, among other important dossiers, we'll vote on the AFCO draft opinions to the LIBE report concerning "the situation of fundamental rights in the EU in 2013-2014", and to the JURI report Annual reports 2012 and 2013 on subsidiarity and proportionality". Furthermore, a delegated Act amending the regulation on the Citizen' initiative will be considered and probably ratified.

I would also call attention to, among others:
- the Joint Hearing with ECON, concerning the institutional aspects of economic governance,
- the exchange of views on a working document concerning the possible reform of the EU electoral law,
- the first discussion on the report on transparency, accountability and integrity in the EU institutions, in which Vice-President Sylvie Guillaume, responsible for transparency, will participate.

I hope you will find this fourth issue useful.

Danuta Maria HÜBNER, Chair

Meeting languages available

CS, DA, DE, EL, EN, ES, FR, HR, IT, NL, PL, PT, RO, SV

Meeting documents:

In light of the European Parliament's paperless project please bear in mind that only a very limited number of paper dossiers will be available in the meeting room.

Instead, meeting documents will be made available on the following public and internal websites:
http://www.europarl.europa.eu/meetdocs/2014_2019/organes/afco/afco_8leg_meetinglist.htm
and (EP internal only):
http://www.emeeting.ep.parl.union.eu/committee/

Webstreaming:

Members are informed that this AFCO meeting will be webstreamed (apart from the Coordinators' meeting) under the following link:
http://www.europarl.europa.eu/wps-europarl-internet/frd/live/live-program?language=en

The videos will be available to watch or download within 24 hours at:
http://www.europarl.europa.eu/ep-live/en/committees/?legislature=8&start-date=&end-date=&committee=AFCO

Please be aware that each time a speaker activates the microphone to make an intervention the camera will be automatically directed to the speaker.

eCommittee (EP internal only): further information on the work of the Committee on Constitutional Affairs can be found on our eCommittee page: http://www.afconet.ep.parl.union.eu

MEETING DATE AND VENUE

05.05.2015 in Brussels: József Antall (4Q1)

09.30-12.30:

Joint AFCO and ECON Hearing: "Institutional aspects of the new rules on economic governance and the role of the Eurogroup"

15.00-18.30

Adoption of agenda

Chair's announcements

Voting time
Adoption of draft opinion - "The situation of fundamental rights in the European Union (2013-2014)"

Adoption of draft opinion - "Annual reports 2012-2013 on subsidiarity and proportionality"

Vote on - "Commission Delegated Regulation (EU) amending Annexes III, V and VII of Regulation No 211/2011 of the European Parliament and of the Council on the citizens´ initiative"
End of vote

Consideration of the working document on "The reform of the electoral law of the European Union"

Exchange of views on the amendments to the Draft Report on "Procedures and practices regarding Commissioner Hearings, lessons to be taken from the 2014 process"

Exchange of views on the issues of the next INI report "Transparency, accountability and integrity in the EU institutions"

Exchange of views on further proceedings on the "Proposal for a Regulation of the European Parliament on the detailed provisions governing the exercise of the European Parliament´s right of inquiry replacing the Decision of the European Parliament, the Council and the Commission of 19 April 1995 (95/167/EC, Euratom, ECSC)"

Exchange of views on the AFCO position on the "2016 Budget - Mandate for the Trilogue"

Joint Hearing with AFCO and ECON on the Institutional aspects of the new rules on economic governance and the role of the Eurogroup (point 1 of the draft agenda, from 9.30 to 12.30)

Presentation by experts, exchange of views

The main objective of the hearing is to have an exchange of views with experts to enrich the AFCO and ECON committees' reflexions and upcoming works on the institutional aspects of the governance of the economic and monetary union policy and the Eurozone.

9.30 - 11.00

Panel 1: The role of the Eurogroup in the economic governance framework

The first panel organised by the Economic and Monetary (ECON) Committee will focus on the role of the Eurogroup in the economic governance framework with the following Speakers:

Prof. Daniel Gros, Director Economic Policy at CEPS,
Prof. René Repasi, Scientific coordinator of the European Research Centre for Economic and Financial Governance of Universiteit Leiden,
Prof. Xavier Ragot, Director of Observatoire Français des Conjonctures Économiques OFCE (TBC).

11.00 - 12.30

Panel 2: The institutional aspects of governance of the Eurozone by the Eurogroup: a democratic challenge.

The second panel, under the responsibility of the Constitutional Affairs (AFCO) Committee, should concentrate on the institutional aspects of the governance of the Eurozone by the Eurogroup, focusing on the issues raised by the legitimacy and democratic accountability of the decision making process. The invited experts are

Prof. Paul Craig, University of Oxford,
Dr Daniela Schwarzer, Senior Director of Research and Director of the Europe Programme, German Marshall Fund, Berlin,
Prof. Mario La Torre, Professor of Economics of Financial Intermediaries, La Sapienza University, Rome.

*** * * VOTING TIME * * ***

The situation of fundamental rights in the European Union (2013-2014) (point 4 of the draft agenda)

Rapporteur for the opinion: Ramón Jáuregui Atondo (S&D)
(Responsible committee: LIBE, Laura Ferrara (EFDD))

Adoption of draft opinion

AFCO will vote on Mr Jauregui Atondo's draft opinion to LIBE's report on the situation of Fundamental Rights in the EU (2013 - 2014), which was discussed in the last AFCO meeting of 16 April 2015. The deadline for amendments was set for 20 April at 16.00 and 57 amendments were tabled to the draft opinion. The Rapporteur has prepared eight compromise amendments.

Calendar proposed:

5 May	Vote of draft opinion in AFCO
end May	Vote of draft report in LIBE
July	Vote in Plenary

Shadow rapporteurs: Esteban González Pons (EPP), Morten Messerschmidt (ECR), Maite Pagazaurtundúa Ruiz (ALDE), Martina Anderson (GUE/NGL), Josep-Maria Terricabras (Greens/EFA), Fabio Massimo Castaldo (EFDD)

* * *

Annual reports 2012-2013 on subsidiarity and proportionality (point 5 of the draft agenda)

Rapporteur for Opinion: K.M. Ujazdowski (ECR) (Responsible Committee: JURI, Rapporteur: S. Karim (ECR))

AFCO was granted authorisation to give an opinion to the JURI report on "the annual reports 2012-2013 on subsidiarity and proportionality 2014/2252(INI))".

Mr Ujazdowski was nominated rapporteur on behalf of the ECR group. His draft opinion was discussed in committee on 17 March and the exchange of views on the 34 amendments took place on 16 April. The rapporteur may be presenting one compromise amendment.

Calendar proposed:

Date	Event
5 May	AFCO Vote on draft opinion
16 June	JURI Vote on draft report
July	Vote in Plenary

Shadow rapporteurs: C.D. Preda (EPP), M. Bresso (S&D), Ch. Goerens (ALDE), K. Chrysogonos (GUE/NGL), M. Andersson (Greens/EFA), F. Castaldo (EFDD).

Commission Delegated Regulation (EU) amending Annexes III, V, and VII of Regulation No 211/2011 of the European Parliament and of the Council on the citizens' initiative (point 6 of the draft agenda)

Responsible: AFCO
Opinions: PETI

Consideration and vote on any possible objection or proposal for an early non-objection recommendation presented by Members

The deadline for members to express objections to the delegated act on the ECI (or to propose recommendations for an early-non objection) was set on last 23 April at noon. By this deadline, no Member raised any objection, neither in AFCO nor in PETI committee - which is the committee associated under Rule 54. As such, AFCO will not be tabling any motion for a resolution.

However, under Rule 105, par. 4, if "(...) the committee responsible has not tabled a motion for a resolution, a political group or at least 40 Members may table a motion for a resolution on the matter for inclusion on the agenda for the part-session referred to above".

According to the same rule, this can be done during "10 working days prior to the start of the part-session the Wednesday of which falls before and closest to the day of expiry of the deadline referred to in paragraph 5". This means that political groups or 40 Members can still propose an objection, if they so wish.

Otherwise, the delegated act will enter into force on the 1 June.

*** * * END OF VOTING TIME * * ***

The reform of the electoral law of the European Union (point 7 of the draft agenda)

Co-Rapporteurs: Danuta M. Hübner (EPP), Jo Leinen (S&D)
(Responsible committee: AFCO)

Consideration of working document

After the first exchange of views on the legislative initiative report concerning "The reform of the electoral law of the European Union", held on 17 March 2015, the two co-Rapporteurs will present AFCO members with a first working document on this topic.

The working document briefly examines how the harmonisation of European elections has evolved over the years and reaches the conclusion that currently European elections are still predominantly organized under national electoral procedures. This is why the Rapporteurs identified a number of measures that could be reformed in order to enhance the democratic dimension of the European elections, reinforce European citizenship, improve the functioning of the European Parliament and the governance of the European Union, make the work of the European Parliament more legitimate and efficient, enhance the effectiveness of the European elections' conduct, and provide more electoral equality of European citizens.

Out of these 20 measures, the Rapporteurs chose to propose a number of them as a first step towards the reform of the European Electoral Law. The others could be examined in the framework of the discussion on a potential future Treaty change and could be the basis for a future reform that would make European elections even more harmonized, when the time is ripe to embrace such changes.

Shadow rapporteurs: Kazimierz Michał Ujazdowski (ECR), Sylvie Goulard (ALDE), Helmut Scholz (GUE/NGL), Josep-Maria Terricabras (Greens/EFA)

Procedures and practices regarding Commissioner Hearings, lessons to be taken from the (point 8 of the draft agenda)

Rapporteur: R. Corbett (S&D)
(Responsible committee: AFCO)
Committees for opinion: EMPL, ITRE, TRAN

AFCO decided, as in 2009, to monitor Commissioners hearings in all committees in order to see whether the guidelines governing the hearings process (Annex XVI of the Rules of Procedures) were properly implemented and whether, at the light of the experience, it would or not be justified to adapt those guidelines. On 22 July 2014, AFCO MEP Mr Richard Corbett was nominated rapporteur. After the hearings, he presented a working document on the "Procedure and practices regarding the 2014 Commissioner Hearings" in which he intended to draw the first preliminary conclusions on the process, and should be the basis for further discussions on the necessity to modify certain dispositions of Article 118 and Annex XVI of the Rules of Procedures.

The discussion on this working document led to the decision to draft an own initiative report. The rapporteur's INI draft report that should pave the way for possible modifications of the Rules of Procedures, which should be integrated in the work of the working group set up by AFCO to revise the RoP, was discussed during the committee meeting of 17 March. The deadline for amendments was fixed on 13 April. 49 amendments have been tabled. These amendments will be discussed today.

Proposed timetable:

13 April	Deadline for amendments
5 May	Exchange of views on amendments
17 June	Vote

Shadow rapporteurs: Christian Dan Preda (EPP), Maite Pagazaurtundúa Ruiz (ALDE), Pascal Durand (Greens/EFA), Morten Messerschmidt (ECR)

Transparency, accountability and integrity in the EU institutions (point 9 of the draft agenda)

Rapporteur: Sven Giegold (Verts-ALE)
Committee(s) for opinion: CONT (Tamás Deutsch EPP); ENVI (Nessa Childers S&D); JURI (Chair Pavel Svoboda EPP); LIBE (Vice-President Sylvie Guillaume S&D)

Exchange of views

On 5th February 2015, AFCO was authorized to draw an initiative report (INI) on "Transparency, accountability and integrity in the EU institutions" and Sven Giegold was appointed as rapporteur. The aim of this report is indeed to develop a coherent global approach towards these matters for all European institutions. The new European Commission has also put these issues high in its priorities, notably with the inclusion of an initiative for a mandatory lobby register. In this context, four European Parliament committees (CONT, JURI, LIBE and AFCO) held a very interesting Joint Hearing entitled "Towards a high degree of accountability, transparency and integrity of the EU institutions" on 26 March.

Article 15 TFEU establishes a constitutional framework for EU institutional transparency and it is undisputable that the need to have the highest degree of accountability, transparency and integrity in the EU institutions, which is the content of the report, is crucial for restoring the lack of trust of EU citizens. The modification of the Code of Conduct of MEPs is also needed. In this context, the issue related to the urgent need of a revision of the Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001, regarding public access to European Parliament, Council and Commission documents, remains open.

To prepare the negotiations for the reform of the Interinstitutional Agreement (IIA) on Better Law Making, the General Affairs Council (GAC) of 21st April 2015 discussed key issues concerning different aspects of EU interinstitutional relations (including the transparency register), for which a close debate with the other EU Institutions is also needed.

Proposed timetable:

5 May	Frist exchange of views in AFCO, with VP Guillaume
17 June	Exchange of views with FVP Timmermans (tbc) and/or with the Latvian EU Council Presidency Zanda Kalniņa-Lukaševica
22 September	Consideration of working document & Workshop on the 2 Policy Department studies
19 November	Consideration of draft report
Beginning 2016	Vote in AFCO

Shadow rapporteurs: Andrej Plenkovic (EPP), Jo Leinen (S&D), Kazimierz Michał Ujazdowski (ECR), Maite Pagazaurtundúa Ruiz (ALDE), Helmut Scholz (GUE/NGL), Fabio Massimo Castaldo (EFDD)

* * *

Proposal for a Regulation of the European Parliament on the detailed provisions governing the exercise of the European Parliament's right of inquiry replacing the Decision of the European Parliament, the Council and the Commission of 19 April 1995 (95/167/EC, Euratom, ECSC (point 10 of the draft agenda)

Rapporteur: Ramón Jáuregui Atondo (S&D)

Exchange of views

On 23 May 2012, during the last parliamentary term, Parliament adopted a proposal for a regulation of the European Parliament on the detailed provisions governing the exercise of the European Parliament's right of inquiry and repealing Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and the Commission (Rapporteur David Martin, Report A7-352/2011). After the vote in May 2012, negotiations at political and technical levels were held but could not lead to an agreement.

To prevent the proposal from lapsing, Parliament adopted on 16 April 2014, with 532 in favour, 81 against and 7 abstentions, the resolution, drafted by the Rapporteur David Martin, in which Council and the Commission were called to resume negotiations with the newly elected Parliament.

Following a request from AFCO, the Conference of Presidents, according to Rule 229, decided on 18 September 2014 that Parliament would resume consideration of this matter. Last 20th January, on the basis of a working document prepared by our rapporteur, Ramón Jáuregui, AFCO discussed the question of how to come out from this legislative deadlock, and it was decided to send a formal letter to the Council and the Commission, sent on 27 February, to resume negotiations.

The Latvian EU Presidency, after consultation at Council level, invited last 22nd April our Rapporteur Mr Jáuregui to discuss AFCO's intention and the possible further proceedings with regard to the file. We received last 28 April a letter from the FVP Frans Timmermans about the outcome and the results of the meeting of 22 April. Our Rapporteur will inform the AFCO committee on this issue and at the end of the debate, he will suggest the next steps to be taken in order to find solutions.

Calendar proposed:

Before the end of May and in June	Working meetings on the legal and institutional aspects of the proposal on the EP' right of Inquiry

Shadow rapporteurs: Rainer Wieland (EPP), Kazimierz Michał Ujazdowski (ECR), Maite Pagazaurtundúa Ruiz (ALDE), Helmut Scholz (GUE/NGL), Max Andersson (Greens/EFA), Isabella Adinolfi (EFDD)

2016 Budget - Mandate for the Trilogue (point 11 of the draft agenda)

Responsible committee: BUDG - José M. Fernandes (EPP)

Exchange of views with José M. Fernandes, BUDG rapporteur

AFCO will hold a first exchange of views with the General Rapporteur for Section III (Commission) Budget 2016, Mr José Manuel Fernandes, on the budgetary procedure and AFCO's priorities for next year's budget.

Calendar proposed:

Date	Event
17 June	Consideration of draft opinion in AFCO
24 June 2015 at noon	Deadline for amendments
16 July 2015	Vote on the draft opinion in AFCO (on the basis of the draft budget)
3 September 2015	Vote in BUDG
October	Vote in Plenary

AFCO Bulletin

The Activities of the Chairwoman Danuta Maria HÜBNER as AFCO Chair

Meeting with Mr. Jean-Louis Nadal, the President of the French High Authority for Transparency (HATVP)

Ms Danuta Maria Hübner, the current Chair of the Advisory Committee on the Conduct of MEPs, met Mr Jean-Louis Nadal, the President of the French High Authority for Transparency (*la Haute Autorité pour la Transparence de la Vie Publique*), on 14 April 2015 in Brussels.

The meeting concentrated on the following issues: the establishment of the Advisory Committee and the HATVP and their goal of re-gaining citizens' trust by guaranteeing the exemplarity of public officials. Both bodies carry out similar functions: they give advice under the form of recommendations or orientations, they are solicited in the case of a failure to comply with the Code and they make sure that the declarations of interest are published and are accessible to the citizens. However, a number of differences can be found, notably the lack of sanction imposed by the Advisory Committee in the event of a violation of the Code of Conduct (sanctions remain a prerogative of the EP President). Other differences include: the extent of personal scope of competences, differences between the wording of the "French" and the "EP" declarations of interest, The possibility of the HATVP to request additional supporting documents to the declaration, explicit penal sanctions if the French officials fail to fill in the declaration of interest in a thorough manner, the composition and functioning of the two bodies and the obligation to notify gifts received while representing the French Parliament in an official capacity and to declare their participation at events organised by thirds parties.

* * *

Meeting with Mr Bartosz Kwiatkowski, ALTER-EU Representative

On Monday 20 April 2015, Ms Danuta Maria Hübner met Mr Bartosz Kwiatkowski, a representative of the Frank Bold Foundation who is a member of the ALTER-EU coalition. The regulation of lobbying and EU's mandatory register of lobbyists were the main topics of the meeting. The Frank Bold Foundation is currently working on a project "Inviting stakeholders to the process of monitoring anti-corruption legislation and policies in Poland, Czech Republic and Slovakia". In the framework of this project, financed by the Commission's DG HOME, a number of issues are covered with regard to monitoring transparency: the funding of political parties and election campaigns, the civil service and access to public information which includes the lobbyists' register.

Moreover, the Polish regulation on lobbying and the current situation were discussed, as well as the need to increase transparency with regard to lobbyists' activities as a necessary element of a healthy democracy, the relation between regulations on national and EU level, on-going and future measures dealing with it (IIA on BLM) and some practical issues concerning certain solutions (legislative footprint).

* * *

Meeting with Mr. Michael Roth, Minister of State for Europe at the German Fedeal Foreign Office

On 20 April, Professor Hübner met Mr. Michael Roth, Minister of State for Europe at the German Federal Foreign Office. The main topics of discussion were related to the works of the AFCO Committee, especially with regard to the Electoral Law Reform.

* * *

Next meetings:

*** 26 May 2015, 9.00 - 12.30 (Brussels): Public Hearing on the "The institutional future of the European Union within and beyond the Treaty of Lisbon"**

*** 17 June 2015, 9.00 - 12.30 and 15.00 - 18.30 (Brussels)**

Further information
For any further information, please visit the AFCO committee website:
http://www.europarl.europa.eu/committees/en/afco/home.html
Twitter
Activities of the AFCO committee may be followed on twitter @EPInstitutional

Contact the editor
European Parliament, Directorate General for Internal Policies of the Union, Secretariat of the Committee on Constitutional Affairs.
Tel: + 32 2 28 43676 – e-mail: afco-secretariat@ep.europa.eu
Legal disclaimer
The items contained herein are drafted by the Secretariat of the Committee on Constitutional Affairs and are provided for general information purposes only. The opinions expressed in this document are the sole responsibility of the author(s) and do not necessarily represent the official position of the European Parliament. The AFCO Newsletter may contain links to websites that are created and maintained by other organisations. The AFCO Secretariat does not necessarily endorse the views expressed on these websites.