



## Newsletter

Issue 16, March 2016



### **Introductory words by Prof. Dr. Danuta Maria HÜBNER**

Dear Readers,

I am very happy to present the 16th issue of the AFCO Newsletter, a tool prepared by the Secretariat which aims to inform you about AFCO activities and increase awareness on institutional challenges that the EU is facing.

Our meeting on Monday and Tuesday 14 and 15 March will deal with crucial issues for the future of European Integration. We will hold exchange of views on issues related to Citizenship and participation, as well as to transparency, accountability and integrity in the EU institutions.

On Monday, we are excited to have the hearing on "e-Democracy in the EU" with many prominent speakers and the exchange of views on the draft Opinion on the "Establishment of an EU mechanism on democracy".

On Tuesday morning, debates will focus on the presented amendments concerning issues related to the draft report on "Transparency, Accountability and Integrity in the EU institutions"; and then on two draft Opinions: the first on Parliament's input ahead of the Commission's proposal on the revision of the MFF 2014-2020; and the other on the Transfer to the General Court of the EU of Jurisdiction at first instance in disputes between the Union and its Servants.

I hope you will find this issue useful,

Prof. Dr. Danuta Maria HÜBNER, Chair

\* \* \*

### **Meeting languages available**

CS, DE, 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.emeeeting.europarl.europa.eu/committees/archives/201512/AFCO>

and (EP internal only):

<http://www.emeeeting.ep.parl.union.eu/committees/>

### **MEETING DATE AND VENUE**

14/15.03.2016 in BRUSSELS

Room: Paul-Henri Spaak (4B001)

15:00- 17:30 and 17:30- 18:30  
09:00 - 12:30

- Adoption of Agenda
- Chair's announcements
- Approval of minutes of meeting of 16 December 2015.
- Hearing AFCO on "e-Democracy in the European Union: potential and challenges"
- Establishment of an EU mechanism on democracy, the rule of law and fundamental rights (Consideration of Draft Opinion)

- Transparency, accountability and integrity in the EU institutions (Consideration of amendments)
- Preparation of the post/electoral revision of the MFF 2014-2020: Parliament's input ahead of the Commission's proposal (Consideration of Draft Opinion)
- Transfer to the General Court of the EU of jurisdiction at the first instance in disputes between the Union and its servants (Consideration of Draft Opinion)
- Any other business

### Adoption of the Agenda

Co-rapporteurs Mercedes Bresso and Elmar Brok have requested to take the exchange of views on their report on "Improving the functioning of the European Union building on the potential of the Lisbon Treaty" off the agenda, as they need more time to prepare compromises and to discuss them with shadow-rapporteurs.

### Chair's Announcement

A joint hearing on Citizenship, organised together with the European Commission and the LIBE, JURI and PETI committees, will take place on 15th March 2016, from 9h15 until 17h30, in Room JAN 4Q1.

During the morning, the LIBE and JURI sessions will take place, while the AFCO session will start at 14h30, until 16h10, and will be followed by the PETI concluding session.

The topics of the AFCO session will be:

- \* the reform of the electoral law of the European Union (the lead candidates system, increasing turnout in elections...),
- \* fostering e-democracy, and
- \* enhancing citizens' participation: in particular, the implementation of the European Citizens' Initiative.

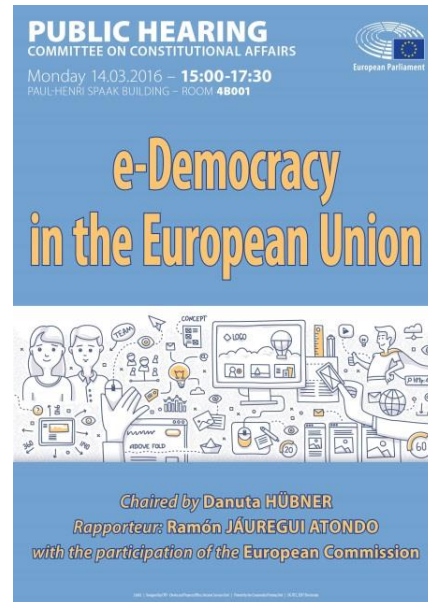


### Hearing AFCO on "e-Democracy in the European Union: potential and challenges"

Rapporteur: Ramón Jáuregui Atondo (S&D)

Committee responsible: AFCO

Committee Responsible for an opinion: CULT



This hearing is meant to be a valuable aid to the preparation of the European Parliament's report on E-democracy. The Committee on Culture will provide our committee with an opinion under Rule 53 of our internal rules.

The main goal of this hearing and of the draft report is to explore the digital possibilities that citizens have "to make known" their opinions, to "publicly exchange their views" and to participate in the political life of the Union.

Introductory remarks will be made by Chair Danuta Hübner, by the Director-General of DG CONNECT Roberto Viola and AFCO rapporteur Ramón Jáuregi Atondo (S&D). Then the three experts will present their views:

- Rafał Trzaskowski, former MEP and former Polish Minister for the Administration and Digitalization;
- Professor Elena García Guitián, Professor of Political Theory and Administration at the Autonomous University of Madrid (UAM);
- Professor Stefano Rodotà, Professor emeritus of Law at the University "La Sapienza" of Rome and former President of the Italian Data Protection Authority.

Finally, preliminary findings from studies on "Potential and challenges of e-voting in the

European Union", "Potential and challenges of e-participation in the European Union" and "The legal and political context for setting up a European Identity Document" will be presented respectively by:

- Alexander Techsel, Professor of Political Science and Head of the Department of Political and Social Sciences of the European University Institute,
- Elisa Linori Coordinator of ECAS (European Citizen Action Service) Digital Democracy Coordinator,
- Jo Shaw, Senior Expert from the Milieu Limited.

Shadow Rapporteurs: Dan Preda (EPP), Kazimierz Michal Ujazdowski (ECR), Sylvie Goulard (ALDE), Pascal Durand (Greens/EFA), Isabella Adinolfi (EFDD), Gerolf Annemans (ENF).

### **Establishment of an EU mechanism on democracy, the rule of law and fundamental rights**

*Consideration of draft opinion and decision on deadline for tabling amendments*

Rapporteur for opinion: György Schöpflin (EPP)  
Committee responsible: LIBE



AFCO is associated to LIBE under internal procedure Rule 53.

Following the Joint Hearing LIBE-AFCO on "Respect for Democracy, Fundamental rights and the Rule of law: the role of the judiciary" and the discussion on the rapporteur's working document on an Annual Pan-EU debate on Democracy, the Rule of Law and Fundamental Rights, the rapporteur expresses the views that Member States should move towards a shared culture concerning the meaning of the rule of law. Considering that the procedure under Article 7 TEU is virtually unusable, he notes that the

Union has no legally binding mechanism in place to monitor the compliance of the Member States and EU institutions with the EU's fundamental values.

Taking note of the rule of law Framework established by the Commission in 2014 and of the creation of the annual dialogue on the rule of law in the General Affairs Council, the rapporteur considers important to work towards a new consensus between the EU and Member States, in which the European Parliament and national parliaments would play a key role.

The rapporteur recommends establishing an EU mechanism for Democracy, the Rule of Law and Fundamental Rights, which would require a Treaty change, and calls for a coordination of the different EU initiatives. Informal trilogues should be regularly organised to ensure a coherent EU approach and a pact should be concluded between all EU institutions and national parliaments in order to establish an annual "fundamental rights policy cycle" as part of a multi-annual structured dialogue among all stakeholders.

The Annual Pan-EU debate on Democracy, the Rule of Law and Fundamental Rights should be organised as part of this multi-annual structured dialogue between the Parliament and the national parliaments, on one hand, and the Commission and the Council, on the other. Goals to achieve and means to measure changes from one year to another should be set.

*Calendar proposed:*

Deadline for amendments: 21 March 2016 at midday (tbc)

Exchange of view on amendments: 20 April 2016

Vote in AFCO: 20 April 2016 or during the May 2016 plenary in Strasbourg

Vote in LIBE: 30 May 2016

Shadow Rapporteurs: Silva Pereira (S&D), Kazimierz Michal Ujazdowski (ECR), Maite Pagazaurtundua (ALDE), Kostas Chrysogonos (GUE/NGL), Josep-Maria Terricabras (Greens/EFA), Massimo Castaldo (EFDD), Gerolf Annemans (ENF).

\* \* \*

## Transparency, accountability and integrity in the EU institutions

### Consideration of tabled amendments



Rapporteur: Sven Giegold (Verts-ALE/DE)

Committee Responsible: AFCO

Committee(s) Responsible for an opinion: CONT - Tamás Deutsch (PPE), ENVI- Nessa Childers (S&D), INTA Bernd Lange (S&D), JURI - Pavel Svoboda (PPE), LIBE - Sylvie Guillaume (S&D).

The EU Commission has promised to update and strengthen the legal base of the EU lobby register. Commission President Juncker increased transparency, notably with the inclusion in its 2015 Work program of an initiative for a mandatory Lobby register, and with the decision to publish all contacts between lobbyists and Commissioners, the staff of their private offices, and Directors General from 1 December 2014.

Rapporteur Sven Giegold presented a report focusing on responding to 10 Key demands: a legislative footprint to protect integrity when drafting EU laws; making the EU lobby register mandatory and its data meaningful; independent oversight against conflicts of interest; cooling off periods to close the revolving door; balanced composition of expert groups; fully realising access to documents; transparency in EU legislation; transparency in trade negotiations such as TTIP; transparency and accountability of economic governance in the Eurozone; and guaranteeing whistleblowers protection and punishing those guilty of corruption.

During AFCO meeting of last 23 February, the five committees consulted for Opinions on the Sven Giegold (Greens/EFA - DE) INI draft report on "Transparency, accountability and integrity in the EU institutions" had the opportunity to present their recommendations: 118 in total (48 from

ENVI; 29 from CONT; 13 from INTA; 14 from JURI and 14 from LIBE).

In the debate that followed, Members considered that a balanced approach to transparency is necessary, and that it is important to avoid excessive red tape and to ensure clarity. It was concluded that further transparency is the way forward, in order to enable the EU to keep leading in this area.

In today's meeting, the 466 amendments tabled by individual members and the 118 suggestions tabled by the five consulted committees will be discussed and a possible Calendar to achieve Compromise Amendments will be announced.

### Calendar proposed:

Shadow Rapporteurs' Meetings: March/April

Final Vote in AFCO: 20 April 2016

Vote in Plenary: May / June 2016

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

## Preparation of the post-electoral revision of the MFF 2014-2020: Parliament's input ahead of the Commission's proposal

### Consideration of draft opinion

#### Decision on deadline for tabling amendments

Rapporteur for the opinion: Pedro Silva Pereira (S&D)

Responsible committee: BUDG - Rapporteurs: Jan Olbrycht (PPE) and Isabelle Thomas (S&D)

An exchange of views will take place on the draft opinion of Pedro Silva Pereira to the BUDG strategic report on the preparation of the post-electoral revision of the MFF 2014-2020: Parliament's input ahead of the Commission's proposal. This proposal is due by the end of 2016, in accordance with Article 2 of the MFF Regulation, which tasks the Commission with the presentation of a review of the functioning of the current MFF, possibly accompanied by a legislative proposal for the revision of this latter.

Calling for the full involvement of Parliament in the inter-institutional debate on the role,

structure, goals, priorities and results of the MFF, the draft opinion deals with issues of constitutional relevance related to the MFF, including its duration and its alignment with the European election cycles, as well as the establishment of a fiscal capacity within the Eurozone in order to assist Member States in the implementation of structural reforms.

*Calendar proposed:*

Deadline for tabling amendments: 22 March 2016 at noon (tbc)

Consideration of amendments and vote in AFCO: 20 April 2016

Shadow rapporteurs: Morten Messerschmidt (ECR), Charles Goerens (ALDE), Pascal Durand (Greens/EFA), Fabio Massimo Castaldo (EFDD).

### **Transfer to the General Court of the EU of jurisdiction at first instance in disputes between the Union and its servants**

*Consideration of draft opinion*

*Decision on deadline for tabling amendments*

Rapporteur for the opinion: Danuta Hübner (EPP)  
Responsible committee: JURI - Rapporteur: Mady Delvaux (S&D)



On 28 March 2011, the Court of Justice submitted a proposal on the amendment of the Statute of the Court of Justice of the EU on the basis of Articles 254(1) and 281(2) TFEU.

A part of the proposal intends to allow the appointment of temporary Judges to the Civil Service Tribunal. It was proposed, in a separate draft regulation, to amend Article 62c of the Statute of the Court by providing, in general terms, for the possibility of attaching temporary Judges to the specialised courts. Two regulations were adopted as a result of the Court proposals:

Regulation No 741/2012 amending the Protocol on the Statute of the Court of Justice of the European Union and Annex I and Regulation No 979/2012 relating to temporary Judges of the European Union Civil Service Tribunal.

To cope with the increased workload, the Court of Justice considered, in order to find a structural solution, that an increase in the number of Judges by at least 12, bringing the number of General Court Judges to 39, was necessary.

The Commission and the Parliament have accepted this increase in the number of judges. Member states were however not able to agree on the modalities for the appointment of 12 additional judges. If the large Member States wanted them to be appointed on merit, small Member States required a rotation system which ensures them, in turn, two judges at the Court.

In July 2014, the Italian Presidency asked the Court to formulate a new reform proposal; proposal that the President of the Court of Justice submitted in autumn 2014.

The updated version of the proposal proposes to double the number of judges of the General Court to 56 in three steps. In 2015, twelve new judicial positions would be created. In 2016, the seven judges of the Civil Service Tribunal would integrate the General Court. Finally, in 2019, nine new posts would be created.

On the basis of this new proposal, the Parliament and the Council approved Resolution 2015/2422 amending Protocol No 3 on the Statute of the Court of Justice of the European Union.

The proposal under consideration, aimed at transferring to the General Court competences up to now pertaining to the Civil Service Tribunal, in implementation of the decision taken in a previous regulation, does not raise particular questions and the rapporteur suggests accepting it without amendment.

*Calendar proposed:*

Deadline for tabling amendments: 21 March 2016 at 12.00 (tbc)

Consideration of amendments and vote in AFCO: 20 April 2016

Vote in JURI: 21 April 2016

Shadow Rapporteurs: Mercedes Bresso (S&D), Morten Messerschmidt (ECR), Maite Pagazaurtundúa Ruiz (ALDE),

## **Next Meetings**

Wednesday 20 April, 9.00 - 12.30 and 15.00 - 18.30  
(Brussels)

Monday 30 May 2016, 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 @EPIInstitutional.

## **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](mailto: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.