



EUROPEAN PARLIAMENT

2014 - 2019

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*Committee on Transport and Tourism*

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**2015/2040(INI)**

17.4.2015

## **OPINION**

of the Committee on Transport and Tourism

for the Committee on Constitutional Affairs

on procedures and practices regarding Commissioner hearings, lessons to be taken from the 2014 process  
(2015/2040(INI))

Rapporteur: Michael Cramer

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## SUGGESTIONS

The Committee on Transport and Tourism calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Notes that the formation of the Juncker Commission was delayed owing to the late nomination by some Member States of their candidate commissioner, while an acceptable degree of gender balance was only achieved at the last minute thanks to Parliament's firm insistence that the new Commission must contain at least the same number of women as the outgoing Commission; considers that such a situation could be prevented in future by setting a deadline by which Member States have to nominate their candidates, and by encouraging Member States to propose at least two candidates for consideration by the President-elect, taking due regard of gender balance by nominating, for example, at least one woman; notes that this will enable the President-elect to select the most suitable candidates, taking into account their specific skills and field of expertise, as well as the need to ensure an appropriate degree of gender balance;
2. Considers that a deadline should also be set for the President-elect and the Council to adopt, by common accord, the list of persons proposed for appointment as members of the Commission, so as to give Parliament sufficient time for the proper preparation and conduct of the hearings, including supplementary hearings where necessary;
3. Acknowledges that public hearings of Commissioners-designate present an important opportunity for Parliament and EU citizens to assess the priorities of each candidate and their suitability for the role;
4. Considers that when a Vice-President of the Commission has responsibilities which are primarily horizontal, the hearing could exceptionally be carried out in a different format, such as a meeting of the Conference of Committee Chairs, provided that such a meeting would be open to all Members, or a joint meeting of the relevant committees;
5. Believes that the Commissioner-designate should be required to clearly set out the programme priorities for the considered portfolio in his or her opening statement;
6. Points out that the generally applicable rule of 45 questions of three minutes, as decided by the Conference of Presidents, did not give committees sufficient flexibility to vary their practices where necessary, for example by introducing a catch-the-eye procedure or allocating more time to the speakers in the first round, while three minutes was completely insufficient for a follow-up question; considers that, in future, arrangements should be made to provide committees with more flexibility, while also ensuring the inquisitorial nature of the hearings through the effective application of the 'ping-pong' principle;
7. Believes that the questions during the hearing should – at least partly – be answered in a language different from the mother tongue of the Commissioner-designate;
8. Notes that the allocation of speaking time between groups and the number of questions allocated to associated/invited committees was finally decided by the Conference of

Presidents and the political groups respectively, although in the past those arrangements had been made at committee level; notes that the procedure was confusing, as the Conference of Committee Chairs had initially suggested to committees to arrange bilaterally the number of questions to be allocated to associated/invited committees;

9. Stresses that the d'Hondt rule for allocating speaking time among the political groups should be thoroughly applied;
10. Considers that if the evaluation shows no clear majority, or if there is a majority but not a consensus against the candidate, the coordinators should – as a next step – request an additional 1.5-hour hearing;
11. Stresses that Parliament's request for the replacement of a Commissioner-designate or the allocation to him or her of a different portfolio, on the basis of the evaluation made by the committee(s) responsible, should be fully taken into account; considers that, where Parliament asks for the replacement of a Commissioner-designate, a deadline should be set for the nomination of a new candidate by the Member State concerned; opposes a 'take-it-or-leave-it' approach in an exceptional situation where the second nominee proposed by a Member State is also found to be unqualified to be a member of the College or to carry out the particular duties assigned to him or her; considers that a limited extension of the outgoing Commission's term of office can be acceptable, as a last resort, only in exceptional cases where the need for the proper preparation of supplementary hearings does not allow Parliament to approve the new Commission before 1 November;
12. Expresses its dissatisfaction regarding the procedure that led to the replacement of the Commissioner-designate for Transport at very short notice and without prior consultation with the Committee responsible; deplores the fact that the subsequent nominee did not enjoy equal and fair conditions in presenting herself to the Committee, as she had very limited time at her disposal to prepare for the hearing; reiterates that transport is a key policy area which should not be the victim of last-minute changes;
13. Emphasises that, under Annex XVI to the Rules of Procedure, the opinions of all the committees associated with a hearing are to be included in the single evaluation statement; notes, however, that this requirement has not always been entirely fulfilled; considers, therefore, that the corresponding provision must be strengthened by specifying that the opinions of the associated committees should be annexed in their entirety to the single evaluation statement without any alterations;
14. Recalls that, under Annex XVI to the Rules of Procedure, evaluation statements must be adopted and made public within 24 hours after the hearing; notes, however, that the procedure actually followed was not in conformity with that provision, as evaluation statements were made available only after the Conference of Presidents had declared the hearings closed; stresses the need to clarify that provision to allow publication of evaluation statements on a visible place on Parliament's website 24 hours after the evaluation;
15. Asks for clarification of the following provisions in Annex XVI to the Rules of Procedure:

- ‘Where possible, questions put during the course of the hearing shall be grouped together by theme.’ This provision has been interpreted as bundling together questions from associated/invited committees, but the actual theme of a question is not supposed to be known in advance, as questions should not be disclosed before the hearing;
- ‘As a last resort, the Chair shall put the two decisions to the vote by secret ballot.’ The ‘two decisions’ are meant to refer to whether ‘the Commissioners-designate are qualified both to be members of the College and to carry out the particular duties they have been assigned’. However, there is no evident link between these two sentences in Annex XVI, which could lead to misinterpretation.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	14.4.2015
<b>Result of final vote</b>	+: 44 -: 1 0: 0
<b>Members present for the final vote</b>	Daniela Aiuto, Lucy Anderson, Inés Ayala Sender, Georges Bach, Izaskun Bilbao Barandica, Deirdre Clune, Michael Cramer, Luis de Grandes Pascual, Andor Deli, Karima Delli, Isabella De Monte, Ismail Ertug, Jacqueline Foster, Bruno Gollnisch, Tania González Peñas, Dieter-Lebrecht Koch, Stelios Kouloglou, Merja Kyllönen, Miltiadis Kyrkos, Bogusław Liberadzki, Peter Lundgren, Georg Mayer, Gesine Meissner, Cláudia Monteiro de Aguiar, Renaud Muselier, Jens Nilsson, Markus Pieper, Salvatore Domenico Pogliese, Tomasz Piotr Poręba, Christine Revault D'Allonnes Bonnefoy, Dominique Riquet, Massimiliano Salini, David-Maria Sassoli, Claudia Schmidt, Claudia Tapardel, Keith Taylor, Pavel Telička, István Ujhelyi, Wim van de Camp, Kosma Złotowski, Elżbieta Katarzyna Łukacijewska
<b>Substitutes present for the final vote</b>	Rosa D'Amato, Markus Ferber, Olga Sehnalová, Patricija Šulin