

Constitutionalism in the European Union and the constitutional interaction between the West and East of Europe



Public Hearing

AFCO is organising this specific AFCO Hearing on the constitutional interaction between “western and eastern” countries in the framework of the debate on the future of Europe and of the general EU enlargement process. The three invited experts, Ms Anneli Albi, Professor of Law at Kent Law School, Mr Piero Graglia, Associate Professor on History of the International Relations at the School of Political, Economic and Social Sciences, Milan State University, and Mr Kálmán Pócza, Associate professor at the Pázmány Péter Catholic University, Budapest, will debate with AFCO Members, in view to have a comprehensive analysis of the constitutional interaction between the 'West' and the 'East' of Europe in the context of the enlargement. Taking mainly into account constitutional traditions, constitutional texts and constitutional cultures, as reflected in the norms, behaviour and attitudes of legal and political actors and of the population in general, with the view to see how this interaction will be likely to shape the future of a pan-European constitutionalism.

Rules of Procedure: outstanding issues



Exchange of views

The Committee will hear its rapporteur on the Rules of Procedure, Richard Corbett, who will comment on some outstanding issues concerning the interpretation of certain provisions of the Rules adopted by Parliament over the two last years.

In case the Committee agrees with his proposals, draft interpretations of Rule 32(5) on the political declaration required for the establishment of political groups and of Rule 171(1) b on the voting procedure will be put to the vote and, if adopted, then forwarded to the President in order to be announced in plenary.

Newsletter

March 2019

Issue 69

INTRODUCTORY WORDS BY THE CHAIR



Dear Readers,

I am very happy to present the 69th issue of the AFCO Newsletter, a tool prepared by the Secretariat to keep you informed of AFCO activities and to increase awareness of the current institutional challenges facing the European Union.

The main subject of this AFCO meeting will be an update on the state of play of Brexit, presented by myself and Guy Verhofstadt, AFCO's rapporteur.

The meeting will open with an item closely linked to future of Europe, but in the framework of the EU enlargement process: a hearing with three guest experts on 'Constitutionalism in the European Union and the constitutional interaction between the West and East of Europe'. This is followed by another issue related to the future of Europe, a presentation of an in-depth analysis on 'A Fiscal capacity for the Eurozone: Constitutional Perspectives.'

AFCO will also hear from its rapporteur on the Rules of Procedure who will comment on some outstanding issues concerning the interpretation of certain provisions. Subsequently, a point for information on the draft agreement on 'Non-Binding Criteria for the application of Articles 290 and 291 TFEU' will be held.

Prof. Dr. Danuta Maria HÜBNER, Chair

Information on the conclusion of interinstitutional negotiations Non-binding criteria for the application of Articles 290 and 291 of the Treaty on the Functioning of the European Union



Exchange of views

Pursuant to paragraph 28 of the IIA on Better Law-Making of 13 April 2016 the three institutions committed to enter into negotiations without undue delay after the entry into force of the Agreement with a view to agree on non-binding criteria for delegated and implementing acts in order to guide the co-legislators in their work.

To that end, on 9 June 2016 the Conference of Presidents decided to appoint József Szájer and Richard Corbett as negotiators for the European Parliament and confirmed that Parliament's resolution of 25 February 2014, on the follow-up of the delegation of legislative power and control by the Commission's exercise of implementing powers and the relevant case-law of the Court of Justice, would constitute the mandate for the negotiations.

The first political meeting took place on 12 September 2017 under the Estonian Presidency. The second meeting at political level took place on 3 May 2018 under the Bulgarian Presidency. The third and last political meeting agreement took place on 29 November under the Austrian Presidency and during that meeting agreement was reached in principle among negotiators. In addition to the political meetings, 12 meetings at technical level also took place between September 2017 and January 2019.

The draft agreement is entitled "Non-Binding Criteria for the application of Articles 290 and 291 of the Treaty on the Functioning of the European Union" and consists of three sections, devoted to, respectively, the general principles, the actual criteria and the monitoring of the application and review of the criteria.

At this meeting, an item for information will be dealt with in the presence of Parliament's co-negotiators, Robert Corbett and Jozsef Szájer.

*

*

*

MEETING LANGUAGES AVAILABLE

FR, DE, IT, NL, EN, DA, ES, PT, PL, RO

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 **EP internal** websites.

MEETING DATE AND VENUE


Thursday March 7 2019, 9.00 – 12.30 & 15.00 – 16:00
Room: Paul-Henri Spaak (4B001)
(Brussels)

NEXT MEETING

Monday 18 March 2019, 15.00 - 18:30
(Brussels)

FURTHER INFORMATION

 [AFCO website](#)

 [@EPInstitutional](#)

CONTACT THE EDITOR

European Parliament,
Directorate General for Internal Policies of
the Union,
Secretariat of the Committee on
Constitutional Affairs

 + 32 2 28 43676

 [AFCO mailbox](#)

In-depth analysis on "A Fiscal capacity for the Eurozone: Constitutional Perspectives"



Presentation of an in-depth analysis commissioned by the Policy Department for Citizens' Rights and Constitutional Affairs

AFCO requested this in-depth analysis in order to examine the introduction of a fiscal capacity for the Eurozone from a constitutional perspective. The Treaty of Maastricht created an asymmetric Economic and Monetary Union (EMU) fully federalizing monetary policy whilst leaving economic policy decentralized. The legal and institutional responses to the euro-crisis have not fundamentally changed this status quo.

For this reason, a growing number of calls have been made at the highest institutional level in favour of endowing the EMU with a fiscal capacity, that is a Eurozone budget that can be deployed as a stabilization tool in case of asymmetrical economic shocks. Considering the recent proposals to establish a fiscal capacity put forward at national and EU level, this in-depth analysis examines how a fiscal capacity could be brought to bear in the EU by discussing the possible legal bases, funding mechanisms, rules of governance and accountability as well as possible windows of opportunities to introduce it post-Brexit.

The in-depth analysis will be presented by its author, Professor Federico Fabbrini, Full Professor of European Law at Dublin City University (DCU) and Director of the DCU Brexit Institute.

The withdrawal of the UK from the European Union– state of play



Exchange of views

Guy Verhofstadt, Parliament's coordinator for the negotiations on the UK withdrawal from the EU, and Danuta Maria Hübner, Chair of AFCO and member of the Parliament's Brexit Steering Group, will update the Committee on the state of play of the withdrawal procedure, and on the developments in the approval of the draft withdrawal agreement ahead of important votes scheduled for next week in the House of Commons.

[Subject File](#)

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.