



ACTIVITY REPORT OF THE COMMITTEE ON CONSTITUTIONAL AFFAIRS

8TH PARLIAMENTARY TERM

(JULY 2014 – JUNE 2019)

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1. Introduction



The Committee

The Committee on Constitutional Affairs (AFCO) is a special committee in the European Parliament. It is not a committee with strong legislative functions, but the topics that fall within its field of competence are very important for the work of Parliament as a whole, the inter-institutional dynamics and the overall governance of the Union. It is also responsible for the initiation of several special legislative procedures, such as proposals for a regulation on Parliament's right of inquiry (Article 226 TFEU) or on the European electoral act (Article 223 TFEU).

In particular, AFCO is responsible for:

- the institutional aspects of the European integration process, in particular the preparation, initiation and proceedings of ordinary and simplified Treaty revision procedures;
- the implementation of the Treaties and the assessment of their operation;
- the institutional consequences of enlargement negotiations or of withdrawal from the Union;
- interinstitutional relations, including, with a view to their approval by Parliament, examination of interinstitutional agreements pursuant to Rule 148(2)¹ of the Rules of Procedure;
- uniform electoral procedure;
- political parties and political foundations at European level, without prejudice to the competences of the Bureau;
- the determination of the existence of a serious and persistent breach by a Member State of the principles common to the Member States;
- the interpretation and application of the Rules of Procedure and proposals for amendments thereto.

During the 8th parliamentary term, AFCO:

- held 100 committee meetings, 28 of which were joint committee meetings;
- adopted 34 reports, 8 interpretations of the Rules of Procedure and 51 opinions;
- received 8 951 amendments to these reports and opinions;
- adopted 1 motion for resolution;

¹ Ex Rule 140 of the Rules of Procedure.

- submitted 4 oral questions;
- organised 18 missions;
- organised 36 hearings;
- held 11 policy department workshops;

Purpose of this document

This document provides an overview of the committee's work over the European Parliament's 8th parliamentary term, namely from July 2014 to June 2019. It deals with each of the committee's areas of competence, focusing on the highlights and identifying the priorities that the committee sought to promote during that period.

2. Future of Europe



2.1. Improving the functioning of the European Union building on the potential of the Lisbon Treaty

- **Rapporteurs:** Mercedes Bresso (S&D, IT) and Elmar Brok (EPP, DE)
- **Procedure:** Own-initiative report (2014/2249 (INI))

2.2. Possible evolutions of and adjustments to the current institutional set-up of the European Union

- **Rapporteur:** Guy Verhofstadt (ALDE, BE)
- **Procedure:** Own-initiative report (2014/2248 (INI))

2.3. The state of the debate on the future of Europe

- **Rapporteur:** Ramón Jáuregui Atondo (S&D, ES)
- **Procedure:** Own-initiative report (2018/2094 (INI))

Main elements

At the beginning of the 8th parliamentary term, the Committee on Constitutional Affairs took the initiative to draft two resolutions on the future of Europe, proposing a two-step approach to EU institutional reforms:

- the report entitled 'Improving the functioning of the European Union building on the potential of the Lisbon Treaty' provides an assessment of the legal possibilities in the Treaties for improving the functioning of the EU;
- the report entitled 'Possible evolutions of and adjustments to the current institutional set-up of the European Union' contains proposals which cannot be attained using the tools currently provided for in the Treaties and which can therefore only be achieved through a future Treaty change.

These two resolutions, adopted in plenary on 16 February 2017, examined ways of regaining the confidence and trust of citizens and of enhancing the transparency of decision-making and the accountability of EU institutions, agencies and informal bodies. This would be done by strengthening inter-institutional cooperation, by improving the Union's capacity to act, by establishing new instruments and new effective capacities and by making decision-making processes more democratic.

In these reports, Parliament emphasised the importance of the **single institutional framework and the 'Community' or 'Union' method**. Parliament advocated the principle of **Qualified Majority Voting (QMV) in the Council** and the use of the ordinary legislative procedure, where possible through the use of **passerelle clauses**. On the subject of differentiated integration, Parliament pointed in particular to the possibilities offered by the Treaty provisions on **enhanced cooperation**. The reports also discussed the roles of the different institutions, relations with national parliaments and the **Spitzenkandidaten process**. Special attention was paid to the **democratic accountability of decisions taken in the area of EMU, developments in the areas of external action, justice and home affairs**, and to **safeguarding fundamental rights and the rule of law**.

As of 2017, the debate on the future of Europe further intensified with the **Bratislava Declaration and Roadmap, the Commission White Paper on the Future of Europe, the Rome Declaration, and the Leaders' Agenda adopted by the European Council in October 2017**. Important contributions were also made by the European Economic and Social Committee, the Committee of the Regions, and Member States acting individually or as groups. In addition, various institutions, bodies and Member States held citizens' dialogues and consultations.

The European Parliament continued this debate on the future of Europe through plenary debates with heads of state or government and with the adoption in plenary, on 13 February 2019, of a **report on the state of the debate on the future of Europe** prepared by the Committee on Constitutional Affairs in the run-up to the May 2019 Sibiu summit.

The report on the state of the debate on the future of Europe recalls some of the achievements of the Union and underlines that the multiple challenges facing the Union need to be tackled together and require greater and better political integration. The report reiterates that **institutional reforms should make the decision-making processes more democratic and transparent and increase the Union's capacity to act**. The report recalls several proposals made in Parliament's previous resolutions on the future of Europe (such as the importance of the single institutional framework and the Community method, QMV in the Council, improving the transparency of Council decision-making, the possible right of legislative initiative for Parliament in the event of a future revision of the Treaties, more democratic economic governance, continuation of the *Spitzenkandidaten* process and adherence to fundamental values) and takes stock of proposals made by other institutions, bodies or Member States in that context, while also considering developments in several policy areas. The resolution underlines the need to strengthen the European public space as a supranational democratic space. **It emphasises that once the new Parliament and Commission have been established, they should capitalise on the work done until now and further develop the proposals that have been made.**

In preparing its reports, the Committee on Constitutional Affairs held a number of hearings, organised a workshop and discussed the future of Europe during its annual meetings with national parliaments. In addition, Members of the committee **drafted several working documents** on institutional aspects related to the Union's social dimension, harnessing globalisation, deepening of the EMU, European defence, the future of EU finances, the Council's structure and working methods, and multi-speed integration.

Opinions related to the future of Europe debate

The committee also adopted **several opinions** on institutional aspects of certain specific subjects in the context of the debate on the future of Europe for which other committees were responsible.

It adopted an opinion on a **budgetary capacity for the eurozone** (Rapporteur: Paulo Rangel (EPP, PT), for which the ECON and BUDG committees were jointly responsible, in which it recalled its established position that such capacity should be part of the EU budget and financed by EU own resources. It analysed the possibilities for creating such capacity under the current Treaty provisions, while reiterating the need for democratic accountability and legitimacy.

It adopted an opinion on the proposal for a **Council regulation on the establishment of the European Monetary Fund**, looking in particular at arrangements to ensure the proper democratic accountability of the successor to the current intergovernmental European Stability Mechanism (ESM) (Rapporteur: Danuta Maria Hübner (EPP, PL)).

With regard to the proposal for a **Council directive laying down provisions for strengthening fiscal responsibility and the medium-term budgetary orientation in the Member States**, it recommended to the main committee (ECON) that it propose approval of the Commission proposal aiming to integrate the substance of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union (TSCG) into the EU legal framework (Rapporteur: György Schöpflin (EPP, HU)).

2.4 Future finances

In addition to the Working Document on the Future of EU Finances, AFCO produced several opinions linked to this topic in relation to the annual budgetary procedure, the discharge procedure, and the future of the Multiannual Financial Framework and own resources. AFCO used these occasions to express its position on ways of improving the institutional dynamics in these procedures and of safeguarding Parliament's role.

In all of its **opinions on the annual budget**, AFCO insisted on sufficient allocations for citizens' programmes, on a dedicated budget line for the European Citizens' Initiative and

on sufficient resources to promote communication and dialogue with citizens (Rapporteurs: Danuta Maria Hübner (EPP, PL) for the 2015, 2016, 2018 and 2019 budgets; György Schöpflin (EPP, HU) for the 2017 budget; and Alain Lamassoure (EPP, FR) who started the work on the 2020 budget).

The committee adopted an opinion (Rapporteur: Pascal Durand (Greens, FR)) on **the 2014 discharge in respect of the implementation of the general budget for the section on the European Council and the Council**, in which it reiterated Parliament's longstanding criticism of the Council's failure to provide Parliament with the necessary information with regard to the implementation of the Council's section of the budget in the context of the discharge procedure.

In its opinion for the **BUDG report on the preparation of the post-electoral revision of the MFF 2014-2020: Parliament's input ahead of the Commission's proposal** (Rapporteur: Pedro Silva Pereira (S&D, PT)), AFCO called for **Parliament's full involvement** in the revision of the MFF, a thorough reform of the own resources system and the activation of the 'passerelle' clause for decision-making in the field of MFF and own resources.

In its opinion for the BUDG report on **the next MFF: preparing Parliament's position on the MFF post-2020** (Rapporteur: Gerolf Annemans (ENF, BE)), AFCO called for a switch from unanimity voting to QMV where possible, for alignment of the period of future MFFs with Parliament's legislative term and for a compulsory mid-term revision of the MFF, and warned against the European Council expanding its role into the legislative realm, which is not envisaged by the Treaties. In its opinion for the BUDG report on **reform of the European Union's system of own resources** (Rapporteur: Mercedes Bresso (S&D, IT)) AFCO called for a comprehensive reform of the system of own resources, a switch from unanimity to QMV in the decision-making on own resources, and the elimination of rebates and corrections.

Finally, in its **opinion for the interim report on the MFF 2021-2027 – Parliament's position with a view to an agreement** (Rapporteur: Fabio Massimo Castaldo), AFCO reiterated the abovementioned messages and considered it important that the reforms of the expenditure and revenue sides be carried out hand in hand.

2.5. Differentiated integration

- **Rapporteur:** Pascal Durand (Greens, FR)
- **Procedure:** Own Initiative Report (INI), (2018/2093(INI))

Main elements

In addition to the Working Document on Multi-Speed Integration, AFCO adopted a report on differentiated integration in November 2018. The report aimed to **clarify the concept of differentiated integration**, examined the areas where **differentiated integration is**

mostly used, looked at **the challenges facing the application** of this principle and proposed some **avenues for the future both within the current Treaty framework and beyond**.

According to AFCO's report, **differentiated integration should take place within the Treaty provisions**, should be **open to all Member States** and should **not lead to more complex decision-making process**. AFCO called for simplification of the different forms of differentiation and for the **scrapping of permanent opt-outs** and exceptions from primary law for individual Member States. It was also suggested that **switching from unanimity to QMV decision-making** in all policy areas would reduce the need to resort to differentiated integration. **AFCO recalled that membership of the EU should require full compliance with primary EU law in all policy areas**, while those countries desiring a close relationship with the EU without being willing to commit to full compliance with primary law and which either will not or cannot join the EU should be offered some form of partnership.

These main messages were upheld in the plenary vote on the report, which took place on 17 January 2019.

3. Institutional Aspects



3.1. Right of Inquiry

- **Rapporteur:** Ramón Jáuregui Atondo (S&D, ES)
- **Procedure:** Article 226(3) TFEU lays down a special legislative procedure for the adoption of this specific regulation, where Parliament enjoys a right of legislative initiative and adopts the act after obtaining the consent of the Council and the Commission (2009/2212(INL))

Main elements

The right of inquiry is a crucial instrument by which parliaments can hold the executive authorities to account. The European Parliament's right of inquiry **was first legally recognised by the Treaty of Maastricht** and has been governed since 1995 by a joint decision of Parliament, the Council and the Commission², whereby Parliament is given the right to set up temporary committees of inquiry to investigate 'alleged contraventions or maladministration in the implementation of Community law'. **The Treaty of Lisbon enhanced this power**, stipulating that the right of inquiry shall be determined by a regulation adopted by Parliament, on its own initiative, after obtaining the consent of the Council (QMV) and the Commission (Article 226 TFEU).

Before the end of the 7th parliamentary term, **Parliament adopted the David Martin report on behalf of AFCEC proposing a draft regulation on the European Parliament's right of inquiry**, to which the Council and the Commission expressed objections. At the beginning of the 8th parliamentary term, the Conference of Presidents confirmed Parliament's proposal and AFCEC appointed Ramón Jáuregui Atondo as the new rapporteur, with the intention of re-launching the initiative.

Parliament's goal is **to enhance the capacity of committees of inquiry**. Experience has shown that only Parliament can conduct inquiries into matters that, on account of their transnational dimension, transcend the competences of national parliaments. The work

² Decision of the European Parliament, the Council and the Commission of 19 April 1995 on the detailed provisions governing the exercise of the European Parliament's right of inquiry (95/167/EC, Euratom, ECSC) (OJ L 113, 19.05.1995, p. 2).

of past committees of inquiry made it clear that Parliament's powers in this domain needed to be enhanced in order to make those inquiries more effective. At the same time, **a more precise definition of the scope, content and limits of Parliament's powers of investigation would strengthen the rule of law and protect the rights of all entities involved in a committee of inquiry.**

The **main objections raised by the Council and the Commission** addressed issues such as **the capacity to summon witnesses, possible sanctions for refusing to testify or providing false evidence, and the obligation to provide documents requested by the committees of inquiry.**

Unfortunately, despite AFCO's repeated efforts throughout the parliamentary term to make progress with this file, for example by indicating its availability on a number of occasions to seek solutions that could overcome the Council's and the Commission's objections, **the Council refused to enter into political discussions** with Parliament on the content of the regulation.

Finally, during the April 2019 plenary session, Parliament adopted a resolution tabled by AFCO regretting the lack of cooperation by the Council and the Commission (which could raise the issue of respect for the principle of sincere cooperation) and calling on those institutions to resume negotiations with the newly elected Parliament³.

3.2. Composition of Parliament

- **Rapporteurs:** Danuta Maria Hübner (EPP, PL) and Pedro Silva Pereira (S&D, PT)
- **Procedure:** Special legislative procedure set out in Article 14(2) TEU, whereby the **European Council** adopts by unanimity, on the basis of a proposal from Parliament and after obtaining its consent, a decision establishing the composition of the European Parliament (2017/2054(INL))

Main elements

The European Council Decision of June 2013 establishing the composition of the European Parliament for 2014 - 2019 committed the Parliament to present, before the end of 2016, a proposal on the definition of a system which would in future make it possible, before each fresh election to the European Parliament, to allocate the seats between Member States. Due to compelling political reasons linked to the UK referendum of 23 June 2016, Parliament could not prepare a proposal, as required by the European Council Decision.

AFCO proposed a new composition for the European Parliament based on principles in its report of 26 January 2018. The new allocation would **reduce the size of Parliament to 705**

³ Resolution on the negotiations with the Council and Commission on the legislative proposal for a regulation on the European Parliament's right of inquiry (voted on 18 April 2019).

Members, with a number of seats being left open to accommodate potential future enlargements of the European Union.

27 of the vacated UK seats would be redistributed among 14 Member States in order to make the representation of citizens fairer and fully in line with the Treaty provisions, notably **the principle of degressive proportionality**. **If the UK was still a Member State** at the time of next elections, the **current arrangements would stay in place**.

In preparing the report, a number of **mathematical formulae** were analysed by AFCO and it was concluded that even though they displayed great potential for providing a permanent system for the future distribution of seats, it was politically unviable for Parliament to suggest a permanent system at this stage.

Plenary upheld AFCO's proposals in its vote on 7 February 2018. The only element absent in Parliament's resolution **is the possibility of establishing a joint constituency and transnational lists**, which was part of AFCO's report tabled to plenary.

On 13 June 2018, **Parliament gave its consent** to the draft European Council decision establishing the composition of the European Parliament, which contained the exact same arrangements proposed by Parliament.

3.3. Institutional aspects of external policies

Report on the constitutional, legal and institutional implications of a common security and defence policy: possibilities offered by the Lisbon Treaty

- **Rapporteurs:** Esteban González Pons (EPP, ES) and Michael Gahler (EPP, DE)
- **Procedure:** Own-initiative report, joint committee meetings with AFET, (2015/2343(INI))

Main elements

Following the AFET/AFCO joint hearing of 13 October 2015 on *Common Foreign and Security Policy under the Treaty of Lisbon: unlocking its full potential*, in which the future outlook for CFSP and CSDP in the context of the existing Treaties was discussed, authorisation for this report was requested with a view to building on the conclusions of that hearing. The aims were to **address the institutional challenges in EU foreign policy by using the potential of the Lisbon Treaty and position the European Parliament as regards the institutional and strategic implications of framing CSDP**.

In this report, Parliament sought to define **an effective path and solid progress in common defence policy leading to a European Defence Union**, with a view to tackling

the emergence of new geopolitical circumstances and security threats and to ensuring efficient cooperation and the sharing of resources and capabilities among Member States, without prejudice to their competence in defence matters.

Parliament wanted to play a more prominent role in the development of the institutional framework of common defence, as a way of reinforcing its oversight and thus the democratic foundations of the Union.

The report put forward several proposals for **the institutional strengthening** of common defence policy, including the **Defence Ministers Council, the Defence Steering Board, the European Defence Agency, Permanent Structured Cooperation (PESCO), and aspects regarding Parliament and its structures.**

While advocating a decisive deepening of common defence policy, Parliament also emphasised the need for a **closer relationship with NATO** by expanding the partnership and avoiding duplication.

Parliament has made several political recommendations to the Council and to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, both within the current constitutional framework and within a possible reform of the European Union through Treaty modification.

Opinions related to the future institutional framework for external policies

In addition to the Working Document on the Future of EU Defence Policy and the report on the constitutional, legal and institutional implications of CSFP, AFCO worked on several opinions linked to EU external policies.

In its **opinion on the role of the EU within the UN** – how to better achieve EU foreign policy goals (Rapporteur: David McAllister (EPP, DE)), AFCO considered that the EU needed to position itself as a single international actor, requested that the UN, the Commission and the Council keep Parliament fully informed of their coordination efforts, and called for a reform of the UN Security Council to enable the EU to become a permanent member of that body.

In its **opinion on European Defence Union** (Rapporteur: David McAllister (EPP, DE)), AFCO called for the full potential of the Lisbon Treaty to be used in relation to defence, for the establishment of a fully-fledged Committee on Security and Defence and of a Council of Defence Ministers, and for a stronger strategic partnership between the EU and NATO.

In its **opinion on the Annual report on the implementation of the Common Security and Defence Policy** (Rapporteur: Paulo Rangel (EPP, PT)), AFCO welcomed the establishment of Permanent Structured Cooperation (PESCO), the reinforcement of the European Defence Fund (EDF) and the increase in the European Defence Agency (EDA) budget. It also reiterated its support for the establishment of a format for defence

ministers to meet within the Council, pointed out the need for coordination of the internal and external dimensions of CSDP and the development of a single defence market, and highlighted that the Union needed to be capable of autonomously guaranteeing the security of its citizens.

3.4. Institutional aspects of economic governance and the Banking Union

Decision of the European Parliament and of the Council amending Article 22 of the Statute of the European System of Central Banks and of the European Central Bank (joint procedure with ECON)

- **Rapporteurs:** Danuta Maria Huebner (EPP, PL) for AFCE and Gabriel Mato (EPP, ES) for ECON
- **Procedure:** 129(3) TFEU: Special procedure for the amendment of the ESCB Statute), amendment of the protocol to the treaties (2017/0810(COD))

Main elements

The judgment delivered in Case T-496/11 on 4 March 2015 (*United Kingdom of Great Britain and Northern Ireland v European Central Bank*) **annulled the Eurosystem Oversight Policy Framework**. As a consequence, the ECB proposed a recommendation for a Decision of the European Parliament and the Council to amend the ESCB Statute (Article 22 of Protocol No 4 - Statute of the European System of Central Banks and of the European Central Bank). The objective of the proposal was **to provide the ECB with the explicit competence to regulate the activity of clearing systems, including Central Counterparties (CCPs)**. This amounted to a simplified treaty revision in accordance with the procedure laid down in Article 129(3) TFEU. The file was dealt with under a joint committee procedure between AFCE and ECON.

The European Parliament's Committee on Economic and Monetary Affairs (ECON) and Committee on Constitutional Affairs (AFCE) adopted their report on 19 June 2018. The report was subsequently adopted in plenary on 4 July 2018. Inter-institutional negotiations on the amendment of the statute were held in parallel to the EMIR 2.2 Regulation that aimed for more **robust and effective supervision of central counterparties (CCPs) offering services to the EU**. **On the insistence of the Council**, the final compromise text of the amendment to the Statute included **detailed and circumscribed powers over third country CCPS** and, more importantly, **did not grant the ECB powers in respect of the CCPs established in the EU**.

On 20 March 2019, **the Governing Council of the ECB** unanimously decided to **withdraw its proposal**. It considered **that amendments proposed** in the inter-institutional negotiations **would not meet the fundamental objectives** sought by the ECB with regard to the ESCB's regulatory competence and could undermine the ECB's independent exercise of its competence. The ECB indicated that it was ready to **revisit the issue in the**

future in full cooperation with the other institutions, if a way forward could be found that did not raise such concerns.

Opinions related to economic governance and the Banking Union

The committee also contributed to various institutional aspects of the work of the ECON committee, in particular in the field of economic governance and the Banking Union.

Economic governance

AFCO provided **an opinion (Rapporteur: Sylvie Goulard (ALDE, FR)) for the review of the economic governance framework** own initiative report launched in 2014 by the ECON committee. In this opinion, it asked in particular for the **integration of the European Stability Mechanism and Treaty on Stability, Cooperation and Governance into the EU legal framework**, with appropriate accountability arrangements, and **called for an Inter-Institutional Agreement** covering all the stages of the **Stability and Growth Pact as well as macroeconomic imbalance procedures**. It argued for the adoption under co-decision of **Broad European Policy Orientation** and for the creation of **budgetary capacity for EMU** within the EU budget. The opinion concluded that **genuine EMU requires reinforcement of the rule of law in the EU**, which ensures *inter alia* that public authority is subject to the law, and the equality of legal subjects is guaranteed by independent jurisdictions.

Review of European Supervisory Authorities

In the context of the **revision of the framework governing the European Supervisory Authorities**, AFCO's opinion (Rapporteur: Danuta Maria Hübner (EPP, PL)) targeted the **institutional aspects of the macroeconomic side of the European System of Financial Supervision – European Systemic Risk Assessment Board (ESRB)**. It focused in particular on the **ESRB organisational structure and accountability arrangements**. Appointment of the ESRB chair was to be formally entrusted to the ECB, with a parallel increase in the profile of the head of the Secretariat. AFCO insisted that the **appointment procedure for the head of the Secretariat be fully transparent**, with his/her independence guaranteed. It also ensured that the extent of the delegation of representative tasks assigned to him/her be limited and specifically **exclude reporting obligations to Parliament, which should rest with the Chair**. The ESRB should also be subject to **enhanced scrutiny** and should **answer parliamentary questions**. The agreed compromise text reflected those priorities.

European Deposit Insurance Scheme

In the framework of its cooperation with ECON on the institutional aspects of the Banking Union, AFCO provided an opinion (Rapporteur: Danuta Maria Hübner (EPP, PL)) on the **regulation aiming to establish the third pillar of the Banking Union – a European Deposit Insurance Scheme (EDIS)**. The legislative opinion highlighted the need for **smooth transitioning in membership of all three pillars of the Banking Union**, should Member

States join at later stages by joining the EMU or signing a close cooperation agreement with the ECB. It also provided for a **gradual procedure for disqualification** from EDIS coverage modelled on the infringement procedure, requiring the European Commission to fulfil several important procedural steps and state its reasons before it can rule on the disqualification from EDIS coverage.

3.5. Amendments to the Statute of the European Investment Bank

- **Rapporteur:** Danuta Maria Hübner (EPP, PL)
- **Procedure:** Special procedure set out in Article 308 TFEU, whereby the Council adopts by unanimity, on the basis of a proposal from the European Investment Bank and after obtaining opinions from the European Parliament and the Commission, a decision amending the EIB's statute (2018/0811(CNS) and (2019/0804(CNS))

Main elements

On account of its responsibility for the Treaty revision procedures, AFCO was the lead committee for the **EP's opinions on the amendments of Protocol (No 5) on the Statute of the European Investment Bank (EIB) annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union.**

The aim of the targeted amendments proposed by the European Investment Bank was to **adapt the statute of the EIB to the new situation created by the withdrawal of the UK from the European Union** and to reflect **an increase in the EIB's subscribed capital by Poland and Romania.**

In its reports, AFCO approved both proposals put forward by the European Investment Bank.

However, in a letter to the President-in-office of the Council of 17 April 2019, the AFCO Chair expressed the committee's concerns about the lack of appropriate explanations provided by the EIB to both of its proposals as regards the changes in the constitution of the body of alternate directors and its impact on the governance of the EIB.

3.6. Statute of the European Ombudsman

- **Rapporteur:** Paulo Rangel (EPP, PT)
- **Procedure:** Special legislative procedure referred to in Article 228(4) TFEU, which enables the European Parliament, after seeking an opinion from the Commission and with the consent of the Council, to adopt regulations laying down the regulations and

general conditions governing the performance of the Ombudsman's duties
(2018/2080(INL))

Main elements

The current Statute of the European Ombudsman (Decision 94/262/ECSC, EC, Euratom) was last amended before the entry into force of the Treaty of Lisbon. It was therefore high time to repeal it and adopt **a completely new regulation** in accordance with the legal basis now applicable.

On 12 February 2019 Parliament adopted a resolution on a draft regulation of the European Parliament laying down the regulations and general conditions governing the performance of the Ombudsman's duties (**Statute of the European Ombudsman**) and repealing Decision 94/262/ECSC, EC, Euratom.

Among other things, the draft regulation:

- establishes the **conditions under which a complaint may be referred** to the Ombudsman;
- lays down the **procedures** to be followed where the Ombudsman's inquiries reveal cases of maladministration;
- allows the Ombudsman, without prejudice to the primary duty of handling complaints, to conduct **own-initiative inquiries**;
- enables the Ombudsman, on his/her own initiative or following a complaint, to : (i) conduct **follow-up inquiries**; (ii) include in the Ombudsman's annual report to the European Parliament an **assessment of the rate of compliance** with recommendations made; (iii) open new inquiries on the basis of **information provided by whistleblowers**;
- allows the Ombudsman to assess the procedures in place to **prevent harassment and protect whistleblowers** within Union institutions, bodies, offices and agencies and to provide advice in those areas to Union staff;
- provides that Union institutions, bodies, offices and agencies are obliged to supply the Ombudsman with any information, including classified information or documents, that the Ombudsman requests of them;
- obliges the Ombudsman and his/her staff to **treat in confidence any information** which they have acquired in the course of their duties;
- allows the Ombudsman to **communicate to the European Public Prosecutor's Office** any information within the latter's competence;
- requires that the Ombudsman be awarded **an adequate budget**, sufficient to ensure his/her independence and the performance of his/her duties.

Provisions on whistleblowing and harassment were absent in the report tabled by AFCD but included at plenary level by means of amendments.

3.7. Statute of the Court of Justice: amendment of Protocol No 3

- **Rapporteur:** Morten Messerschmidt (ECR, DA)
- **Procedure:** Ordinary legislative procedure (legal basis: Article 256(1) and Article 281, second paragraph, TFEU) (2018/0900(COD)).

Main elements

On 27 November 2018, AFCO adopted an opinion for the Committee on Legal Affairs on the draft regulation of the European Parliament and of the Council amending Protocol No 3 on the Statute of the Court of Justice of the European Union. Among other things, the opinion states that **the amendments introduced by the proposed regulation will have to be applicable to cases of which the Court of Justice or the General Court is seized after the date when the regulation enters into force.**

3.8. Transparency, accountability and integrity in the EU institutions

Report on transparency, accountability and integrity in the EU institutions

- **Rapporteur:** Sven Giegold (Greens/EFA, DE)
- **Procedure:** Own-initiative report (2015/2041(INI))

Main elements

Transparency was one of the priorities of the Juncker Commission, notably with the inclusion in its 2015 work programme of a proposal for a mandatory Transparency Register, and the decision to publish all contacts between lobbyists and Commissioners, the staff of their private offices and Directors-General as from 1 December 2014.

The aim of the AFCO report on transparency, accountability and integrity in the EU institutions was **to develop a coherent and global European Parliament approach to those issues** by addressing aspects such as **transparency throughout the legislative procedure**, in particular when the European Institutions come into contact with stakeholders and lobbyists.

The report:

- promoted the introduction of a **legislative footprint** on a voluntary basis for the moment -and the practice of **meeting only interest representatives who have registered in the Transparency Register**, making the Transparency Register as mandatory as possible;
- called for measures to defend the integrity of EU institutions and bodies against conflicts of interests, in particular through codes of conduct and appropriate regulation regarding **'revolving doors', 'cooling-off periods'** and the composition of expert groups, and also

addressing possible conflicts of interests for businesses owned by EU office-holders when applying for or receiving EU funding;

- called for measures to improve **access to documents and information** in the legislative process, covering all EU institutions and bodies, in particular with regard to the completeness of registers of documents, making trilogue documents available, a dedicated joint database on the state of play of legislative files, a register for delegated acts, the classification of documents and the publication of minutes of meetings of certain Council and Parliament bodies;

- called also for **transparency and accountability** regarding economic governance in the euro area and the EU budget;

- drew attention to **Parliament's right to information** on international agreements and the need to improve cooperation and information-sharing throughout the whole life-cycle of such agreements;

- underlined the need to fight **against fraud and corruption**, *inter alia* through international cooperation, and to protect whistleblowers with an effective EU legislative framework; and

- highlighted the need to also strengthen the **accountability of agencies** and avoid conflicts of interests among their staff and experts.

Opinions related to transparency

In addition to its report, AFCO also adopted an **opinion on the protection of persons reporting on breaches of Union law** (Rapporteur: Ramón Jáuregui Atondo (S&D, ES)).

Among other things, the opinion suggests amendments to the proposal with a view to **strengthening the legal framework** for the protection of whistleblowers, including in the case of **anonymous reporting**. In particular, the material scope of the proposal should include violations of the **common values of the EU referred to in Article 2 TEU** and breaches committed through **political acts**. The opinion also proposes the **inclusion of officials and the other servants of the EU and the European Atomic Energy Community** among those eligible for protection, and lays down provisions reinforcing the role of criminal law in implementing the proposed directive. Stronger protection in the case of **frivolous or vexatious legal proceedings against whistleblowers and psychological assistance** and support for the latter are also proposed in the opinion.

4. Bringing Europe closer to the citizens



4.1. European Citizens' Initiative

- **Rapporteur:** György Schöpflin (EPP, HU)
- **Procedure:** Ordinary legislative procedure (2017/0220(COD))

Main elements

The committee has been arguing for the revision of this legal instrument for citizens' participation ever since its **first report dealing with the implementation of the European Citizens' Initiative (ECI) in October 2015**. The objective of revising the legal framework for the ECI **was to make it a more streamlined, transparent and user-friendly instrument** of agenda-setting at EU level.

Ultimately, and also as a result of consistent pressure from Parliament, the Commission presented a proposal for a new ECI regulation on 13 September 2017. The inter-institutional negotiations were concluded in December 2018 and the new regulation will be applicable as of 1 January 2020. This new regulation introduces some new features such as **partial registration** of an ECI, limiting its scope to the Commission's capacity to propose legislation in a given field. Thanks to AFCE's initiative and support from the European Parliament at plenary level, **ECI organisers are now granted additional support** in terms of **translation**, have access to an **online collaborative platform** assisting them in launching an ECI and receive additional support from Member States through **contact points** established at national level. The Commission and Parliament are to contribute to **awareness-raising about the ECI** through their communication activities. Parliament was also successful in **granting organisers additional time for preparing the collection of signatures** and in giving Parliament a stronger role by holding a debate on successfully submitted ECIs and ensuring stronger scrutiny of the Commission's follow-up actions on those initiatives. Parliament also helped to ensure that the **Commission response** to an ECI is **clear and transparent**, through the inclusion of a list of actions and a timeline for their delivery.

Parliament also insisted on ensuring the transparency of funding support for an ECI through regular reporting on sources of support via the register. Although Parliament **did not manage to lower the required age for supporting an ECI to 16 years** during the inter-

institutional negotiations, Member States are, at Parliament's insistence, allowed to opt for such a lower age limit. The Regulation also aims to **phase out the existing individual online collection systems** over a period of three years **and replace this with a central online collection system** developed by the European Commission.

4.2. eDemocracy in the European Union: potential and challenges

- **Rapporteur:** Ramon Jauregui Atondo (S&D, ES)
- **Procedure:** Own-initiative report 2016/2008(INI)

Main elements
<p>The report looks at recent developments in the use of new e-democracy tools. It stresses that information and communication technologies create new spaces for participation and discussion in the EU democratic sphere and have the potential to mitigate public disaffection with traditional politics, enhance the transparency of the political system and reduce the so-called European 'democratic deficit'.</p> <p>It concludes that the experience with e-democracy across Europe is uneven and that its broader adoption requires specific infrastructure. It mentions the need to address security concerns and guarantee privacy, these aspects being of paramount importance to ensure citizens' trust in such tools.</p> <p>The report further calls on Member States to promote e-inclusion through digital literacy and equal and safe digital access for all EU citizens and, by integrating such digital skills more tightly into school curricula and lifelong learning, to deliver affordable and accessible high-speed digital infrastructure. It encourages them to promote mechanisms that enable EU citizens to interact with governments and EU institutions. It points to the high potential for ICT tools in the EU's own participatory democracy through the European Citizens' Initiative, as well as the need to enhance e-participation in the Commission's public consultation process. It calls on the Commission to develop e-participation within the Digital Market Strategy launched in 2017, and for the EU institutions to launch a process aimed at developing the European Charter of Internet Rights, in order to promote and guarantee the rights of EU citizens pertaining to the digital sphere.</p>

Opinions related to citizenship

EU Citizenship Report
<p>The AFCO opinion (Rapporteur: Cristian Dan Preda (EPP, RO)) on the EU Citizenship Report highlighted the need to promote policies and carry out campaigns and activities aimed at raising awareness of citizens' rights. It insisted that the reform of the European electoral law aims to increase participation and confidence in the EU democratic system, while the principles of transparency, awareness and non-discriminatory access to</p>

information are essential. It advocated **promoting participation in EU elections** by strengthening the European character thereof and increasing the visibility of political parties at EU level. It called for a revision of the ECI Regulation and insisted on developing mechanisms and policies aimed at **protecting the fundamental rights of individuals in the digital environment**.

4.3. The role of cities in the institutional framework of the Union

- **Rapporteur:** Kazimierz Michał Ujazdowski (ECR, PL)
- **Procedure:** Own-initiative report, associated committee REGI (2017/2037(INI))

Main elements

A substantial proportion of the European Union population lives in cities and urban areas and the relevance of these has been growing in the context of institutional structures and the implementation of legislation in the EU. AFCE considered that this trend and other developments, such as the Leipzig Charter on Sustainable European cities, the Covenant of Mayors or the Urban Agenda for the EU – the latter having been established in the framework of the Informal Meeting of EU Ministers Responsible for Urban Matters on 30 May 2016 ('Pact of Amsterdam') – called for a **debate on the involvement of cities in the current EU decision-making and institutional architecture** from the viewpoint of democratic legitimacy, accountability and transparency within the spirit of the Treaties.

Throughout the report, Parliament **insisted in particular on the relevance of the role played by the Committee of the Regions** as a consultative and advisory body in involving cities in the EU decision-making process, and emphasised that the **current institutional set-up was sufficient and in line with subsidiarity**. Parliament considered, however, that **the transparent and effective involvement of cities in decision-making should be reinforced**, particularly with regard to legislation that affects them directly.

In this context, the report welcomed and sought the reinforcement of initiatives such as the **'one stop-shop' for cities**, in facilitating access to information, or the Urban Agenda, in ensuring multilevel governance and partnership.

Parliament also encouraged the **stronger political involvement of municipalities and local authorities**, including through greater cooperation with the Council, in order to foster the role of these as fora for public debate and in shaping the political space in the EU.

To develop the role of cities in the EU, the report advocated **strong cooperation between the Parliament and the Committee of the Regions** and the establishment of a programme of 54 European debate fora to promote municipal debate and consultation on EU affairs.

The Commission, in its **follow-up to this report**, agreed that there was **indeed a need for**

more systematic dialogue with local and regional authorities, and stated that a study assessing the impact of the Urban Agenda would be conducted by the end of 2019 with a view to determining how the Agenda would be continued.

5. Implementation of the Treaties



5.1. Citizenship

Implementation of Treaty provisions related to EU citizenship

- **Rapporteur:** Maite Pagazaurtundua Ruiz (ALDE, ES)
- **Procedure:** Implementation Report (2018/2111(INI))

Main elements

The report aimed to assess the implementation of the Treaty provisions connected to EU citizenship. Although EU citizenship has existed since the Treaty of Maastricht and was further enhanced in the Treaty of Lisbon, **implementation of the various provisions on EU citizenship is not considered to have reached its full potential, in terms of both scope and effectiveness.**

The rights of EU citizens as enshrined in the Treaties encompass rights of democratic participation, electoral rights, the right to free movement and non-discrimination and further extend to the right of consular protection.

The report **recommended more systematic protection of these EU citizens' rights, where necessary** through infringement procedures, **extension of the citizenship rights listed in Article 20(2) TFEU through the procedure in Article 25 TFEU**, and **increased funding for programmes aimed at fostering the EU public space**. It also argued strongly for **upgrading the role of the Europe Direct offices**, which should support EU citizens more actively in the exercise of their rights. It advocated the establishment of **a European public holiday on 9 May** and enhancement of the role of civic education, and called for the potential of Articles 165-167 TFEU to be further explored in this respect. Finally, the report also suggested that the procedure triggered under Article 25 TFEU should ultimately lead to the establishment of an **EU Statute of Citizenship**, alongside the **European Pillar of Social Rights**.

Opinions on the annual reports on the application of the principles of subsidiarity and proportionality

AFCO has been providing regular contributions to the Commission's report on the **Application of the Principles of Subsidiarity and Proportionality** with opinions to JURI as a lead committee on this file (Rapporteurs: Kazimierz Michał Ujazdowski (ECR, PL) and Cristian Dan Preda (EPP, RO)). The committee noted **increased activity by national parliamentary chambers**, both in the framework of the political dialogue and when issuing reasoned opinions (3 yellow cards were triggered over the period assessed). It suggested that overall the chambers want to be involved in the EU legislative process rather than in pre-legislative scrutiny. It highlighted that **the avenue for such involvement is through scrutiny of their respective governments when acting in the Council**. It has been also calling for **more flexibility** with respect to the early warning mechanism and suggested the possibility of a **'green card' to play a more constructive role** in the EU legislative process.

The opinions further insisted that the Commission should take better account of both the **principles of subsidiarity and proportionality when drafting legislation and when assessing policies**. It considered that the Commission has developed stronger tools in the framework of better law-making, but that **impact assessments should be improved** in this regard.

5.2. National parliaments

- **Rapporteur:** Paulo Rangel (EPP, PT)
- **Procedure:** Implementation report (2016/2149 (INI))

Main elements

The objective of the report, which was adopted on 19 April 2018, was **to assess the use of current mechanisms for participation by national parliaments** in the European political process and to look at possible improvements to those mechanisms, in order to involve national parliaments more closely in the overall integration process.

In preparation of the report, the committee held an Interparliamentary Committee Meeting and organised a workshop. The rapporteur carried out fact-finding missions to the Portuguese, Danish and Greek parliaments. The committee also received written contributions from several national parliaments and benefited from expertise in the form of studies, briefings and a legal opinion.

In the report, Parliament **reaffirmed the crucial role of national parliaments in scrutinising their governments' actions in European affairs** as members of the European Council and the Council. In this respect, it encouraged the exchange of best practices, regular debates between Ministers and specialised committees of the national

parliaments before and after Council and European Council meetings, and regular meetings between members of national parliaments, Commissioners and Members of the European Parliament. Parliament also considered that both the European Parliament and national parliaments should be better involved in the European Semester and that budgetary calendars at national and European level should be better aligned to this effect. Parliament suggested furthermore the **establishment of an annual European week** in which members of national parliaments would simultaneously discuss European affairs with Commissioners and Members of the European Parliament.

With regard to the role of national parliaments in scrutinising compliance with the principle of subsidiarity, Parliament supported reforms to the Early Warning System (EWS) by calling on the Commission to implement a technical notification period within the EWS in order to find a practical arrangement within the current Treaty framework to allow more time for national parliaments to consider issuing a reasoned opinion on a draft legislative act. It also called on the Commission to **address proportionality as well as subsidiarity** in its responses to reasoned opinions issued by national parliaments, and promoted the use of the IPEX platform for the systematic sharing of information and early flagging of subsidiarity concerns. While Parliament agreed with the idea of national parliaments submitting constructive proposals for the Commission's consideration – with due regard for the Commission's right of initiative –, it took the view that **the implementation of a red-card procedure is not conceivable** at this stage of the integration process.

Finally, Parliament called for **relations between the Union and national parliaments to be strengthened**, insisting, however, on a clear delineation of decision-making competences between national Parliaments and the European Parliament and rejecting in this respect the creation of joint parliamentary decision-making bodies.

5.3. Enhanced cooperation

- **Rapporteur:** Alain Lamassoure (EPP, FR)
- **Procedure:** Implementation report (2018/2112(INI))

Main elements

In relation to the overarching topic of the future of Europe, AFCO decided to look into the issue of enhanced cooperation and, in particular, to examine how the Treaty provisions on enhanced cooperation have been implemented so far.

In preparation of the report, the rapporteur organised a hearing and carried out fact-finding missions to Switzerland and the USA.

In its report, AFCO **assessed the application** of this concept so far and **proposed a roadmap** to be followed in order to ensure the smooth and effective implementation of enhanced cooperation in the future.

The content of the report was based on analysis not only of **the existing cases of enhanced cooperation in the EU**, but also of **similar provisions on interstate cooperation in other federal models**, such as the USA, Canada, Switzerland, Australia, Germany and Italy.

The **roadmap for the effective implementation of enhanced cooperation** proposed by AFCO will **streamline the decision-making process** by:

- setting a deadline of two consecutive Council presidencies to establish that the objectives of an instance of cooperation cannot be attained by the Union as a whole, in line with the requirement in Article 20 TEU;
- and **suggesting the use of the special passerelle clause** in Article 333 TFEU to switch from unanimity to QMV, and from a special to the ordinary legislative procedure, immediately after an agreement on the start of enhanced cooperation is approved by the Council.

AFCO also proposed an **active role for the Commission** in the administration of enhanced cooperation and recommended a **stronger role for Parliament in enhanced cooperation** by enabling it to suggest new forms of enhanced cooperation through Article 225 TFEU (quasi-legislative initiative) and by involving it in all decision-making steps of this procedure.

AFCO's report also made recommendations regarding **the expenditure linked to enhanced cooperation** and **the jurisdiction of the Court of Justice** over such cases. Finally, the report also recommended some **adjustments to the institutional structure of the Union** to accommodate better the decision-making procedure for enhanced cooperation and suggested provisions enabling the withdrawal or expulsion of Member States from enhanced cooperation.

These main messages were upheld in the plenary vote on the report, which was held on 12 February 2019.

5.4. Decentralised agencies

- **Rapporteur: Gyorgy Schöpflin** (EPP, HU)
- **Procedure:** Implementation report (2018/2114(INI))

Main elements

This implementation report, which was adopted in plenary on 14 February 2019 examines and evaluates **how the institutional mechanisms ensuring democratic control over decentralised agencies have been implemented, in particular the 2012 Joint Statement and Common Approach on decentralised agencies**, and **suggests improvements** in order to establish a more coherent, efficient and transparent institutional set-up for parliamentary scrutiny of the activity of these agencies.

In preparation of the report, **a questionnaire was sent to all parliamentary committees** and Parliament's research services commissioned a study on 'EU agencies, Common Approach and Parliamentary Scrutiny'. The rapporteur carried out fact-finding missions to the Fundamental Rights Agency (FRA) in Vienna, to the European Agency for Law Enforcement Training (CEPOL) in Budapest and to the European GNSS Agency (GSA) in Prague.

While noting that **Parliament's committees actively scrutinise agencies** (as the budgetary and discharge authority, through designating members of the Management Boards, through the procedure for appointing or dismissing agency Directors, through consultations on the work programmes, through the presentation of annual activity reports, and through exchanges of views, visits, briefings or provision of expertise), **Parliament requests a thorough assessment of the implementation of the Common Approach.** On the basis of this review, it asks that fresh consideration be given to **drawing up an IIA on agencies and ensuring appropriate democratic oversight and accountability**, including a **mandatory five-year review** of the principles governing their establishment and functioning. Parliament also considers that **its role in the oversight of the governance dimension could be further improved**, *inter alia* through an annual debate on the functioning and governance of agencies. Parliament also considers that, **in the event of a Treaty change, consideration should be given as to how agencies can be even more firmly anchored in the Treaties.**

The proposals for the **relocation of the European Medicines Agency (EMA) and the European Banking Authority (EBA)** gave rise to concerns expressed by AFCE and lead committees (ENVI and ECON) that **Parliament's lack of involvement in the procedure for the selection of the new seats**, detracted from its powers under the ordinary legislative procedure. Parliament thus adopted a statement in the context of the legislative procedure for the relocation of the seats of these agencies requesting that the relevant provisions of the 2012 Joint Statement and Common Approach be revised.

5.5. Parliament's power of political control over the Commission

- **Rapporteur:** Mercedes Bresso (S&D, IT)
- **Procedure:** Implementation report (2018/2113(INI))

Main elements

Parliamentary oversight is a precondition for democratic legitimacy. Recent changes in the law-making process and the increased legislative role of the executive have created the need to reinforce parliamentary scrutiny procedures. This phenomenon is not foreign to the institutional structure of the Union, with the Commission gaining law-making powers through delegated acts, its increasing 'politicisation' and the stronger need for law reinforcement to complement the efficiency of legislation. This report therefore aimed to reassess Parliament's scrutiny role over the Commission and bring it up to date

with these new institutional developments.

In its report, AFCO **analysed the existing instruments for parliamentary scrutiny over the Commission, identified the main challenges to parliamentary oversight and made recommendations on responding to the existing challenges.**

Among other things, AFCO pointed out that Parliament **is not making full use of all the instruments of political control over the executive**, recalled its strong **support** for the *Spitzenkandidaten* process, underlined that the **EU executive is multi-layered and can take different shapes** depending on the policy area, and warned against the European Council exercising legislative functions against the letter of the Treaties. Thanks to the opinions submitted by the Budgets (BUDG) and the Budgetary Control (CONT) Committees, AFCO also looked closely at **the discharge and budgetary procedures as tools of parliamentary oversight.**

AFCO's recommendations were, inter alia, that **the instruments for calling the Commission to account be combined with those for steering scrutiny** and that **Parliament's own working methods be reformed** in order to strengthen its scrutiny functions. AFCO also called on the Commission to take **better account of the legislative initiatives launched by Parliament under Article 225 TFEU**, and deemed that **the possibility of giving Parliament the right of legislative initiative in the context of a future Treaty change was worthy of serious consideration.** It also considered it necessary that **any future Treaty revision examine the possibility of holding individual commissioners to account.** Furthermore, **AFCO called on the Commission and the Council to establish a political dialogue on Parliament's proposal for a regulation on the right of inquiry.** Finally, and importantly, AFCO called for **reinforced cooperation and the exchange of best practices in parliamentary oversight over the executive with national parliaments.**

These main messages were generally upheld in the plenary vote on the report, which was held on 12 February 2019.

5.6. Fundamental rights, democracy and the rule of law

Implementation of the Charter of Fundamental Rights in the EU Institutional Framework

- **Rapporteur:** Barbara Spinelli (GUE, IT)
- **Procedure:** Implementation report (2017/2089(INI))

Main elements

The report analysed **the process of implementation by the EU institutions of the EU's Charter of Fundamental Rights as EU primary law.** It concludes that, although the Lisbon Treaty established the Charter as primary EU law almost 10 years ago, its mainstreaming in EU decision-making could be considerably strengthened.

The report recognised the **importance of the Fundamental Rights Agency** in this process and called for its role to be enhanced through a process of systematic consultation. It called on the Commission to take into account the provisions of the Charter when drafting Impact Assessments. It also called for further implementation of Parliament's **resolution on the establishment of the EU mechanism on democracy, the rule of law and fundamental rights** (see below), which would allow for systematic screening of the developments in the EU, Member States and EU institutions and bodies. The report also asked all EU institutions to strengthen the **mainstreaming of the Charter in EU policies** – in particular in the European Semester for economic coordination, in EU regional funding, enlargement policy, common foreign and security policy and trade policy. It called on the Commission to deliver on the EU's obligation to **accede to the European Convention on the Protection of Fundamental Rights**, which had stalled since the negative opinion of the European Court of Justice. The report further highlighted the potential of EU agencies to support the Member States in fulfilling their obligations deriving from the Charter.

The report called on the EU institutions, and in particular on the European Commission, to **enhance support to Member States when implementing the Charter at national level** in order ensure that the rights of the Charter are not overlooked or misinterpreted, and to **enhance cooperation and the exchange of good practices between Member States** in this respect. Finally, the report underlined that a **more consistent interpretation of the Charter** by the EU institutions, bodies, offices and agencies was necessary to make its application more effective.

Opinions related to fundamental rights and the rule of law

In addition to its reports on fundamental rights and the rule of law, AFCO adopted several opinions linked to the topic:

Fundamental rights

AFCO contributed its opinion to the debate on **fundamental rights in the EU in years 2013-2014** (Rapporteur: Ramón Jáuregui Atondo (S&D, ES)), in which it highlighted the need to pursue the EU's accession to the ECHR, ensure the promotion of EU values as set out in Article 2, and ensure **coherence between internal and external aspects in terms of the protection and promotion of human rights**, including international agreements. It noted the institutional difficulty of triggering Article 7(2) TFEU as this requires unanimity in the Council, and consequently urged the Member States and the EU institutions to come up with an additional mechanism for the effective monitoring of the respect of fundamental rights and rule of law, through **widening the mandate of the EU Fundamental Rights Agency (FRA)**, disclosure of public information on fundamental rights' breaches and allowing the Commission to initiate infringement procedures for violations of Article 2 TEU on the basis of FRA's findings.

It also argued that efforts be stepped up to **revise the Regulation on public access to documents and the European Citizens' Initiative** and to address the issues concerning the growing problem of disenfranchisement of EU citizens in national elections due to them exercising their right of free movement.

Rule of Law Mechanism

The committee (Rapporteur: György Schöpflin (EPP, HU)) contributed to the LIBE Committee's own-initiative legislative report aimed at **establishing an EU mechanism on democracy, the rule of law and fundamental rights (EU pact for DRF)**. Parliament has, since June 2015, been urging the Commission to propose such a mechanism, whose objective would be **to ensure compliance with the Charter of Fundamental Rights and the Treaties**. In the report, adopted by plenary on 25 October 2016, Parliament addressed concrete recommendations to the Commission to that effect, including a **proposal for an Inter-Institutional Agreement translating those recommendations**. In particular, it suggested that the mechanism should **integrate and complement existing mechanisms and should be evidence-based and objective**. It suggested that it be supported by a broad expert panel, address Member States and EU institutions and include both corrective and preventive measures. AFCD dealt in particular with the recommendations concerning its legal form (**Inter-Institutional Agreement**), the **organisation of an EU-wide interparliamentary debate on the DRF** and the adoption of a resolution.

The situation in Hungary

In 2017 AFCD also adopted an **opinion on the situation in Hungary** (Rapporteur: Maite Pagazaurtundúa Ruiz (ALDE, ES)).

AFCD recalled that all **Member States share and must uphold the values enshrined in Article 2 TEU**, and that these values are protected by the procedure established in Article 7 TEU. AFCD also considered **that the current situation in Hungary represents a clear risk of a serious breach of the values referred to in Article 2 TEU and warrants the launch of the procedure set out in Article 7(1) TEU**.

Protection of the Union's budget in case of generalised deficiencies as regards the rule of law

On 21 November 2018, AFCD adopted an opinion for the Committee on Budgets and the Committee on Budgetary Control on the proposal for a regulation of the European Parliament and of the Council on the **protection of the Union's budget in case of generalised deficiencies as regards the rule of law** in the Member States (Rapporteur Helmut Scholz (GUE, DE)).

Among other things, the opinion suggests that measures imposed pursuant to the regulation in question should only enter into force after the European Parliament and the Council have approved **a transfer to a budgetary reserve of an amount equivalent to the value of the measures adopted**. In order to ensure a swift decision on the measures required to protect the financial interests of the Union, such transfers **should be considered to be approved unless, within a set period, the European Parliament or the Council, the latter acting by qualified majority, amend or reject them**. The imposition of such measures **must not affect the obligation of Member States to implement the programme or fund affected by the measure**, and in particular the obligation to make

payments to final recipients or beneficiaries. The Commission must actively monitor whether the legal entitlements of final recipients or beneficiaries are respected. If the Commission finds evidence that the Member State is not fulfilling its obligation to secure the payments and legitimate interests of final recipients or beneficiaries, it shall take all appropriate measures to **assist those recipients or beneficiaries** in enforcing their claims.

Rights and Values programme

On 21 November 2018, AFCE adopted an opinion for the Committee on Civil Liberties, Justice and Home Affairs on the proposal for a regulation of the European Parliament and of the Council establishing the **Rights and Values programme** for the period 2021-2027 (Rapporteur: Josep-Maria Terricabras (Greens/EFA, ES)), (2018/0207(COD)). This new programme will supersede the Europe for Citizens programme and the Rights, Equality and Citizenship programme, the main elements of which it aims to combine.

In addition to the strands of the programme originally listed in the proposal, the opinion introduces a **Union values strand** to promote and safeguard fundamental rights and values, democracy and the rule of law at local, regional, national and transnational level.

6. Institutional consequences of withdrawal from the Union



BREXIT

1. Role of the European Parliament – a centralised procedure

The withdrawal of the UK was of general horizontal interest to the whole Parliament. In this context, Parliament as a whole has engaged from the outset in an exercise of organising the internal procedures for accompanying the withdrawal, and of identifying the consequences of the withdrawal for the EU and for the policies under the remit of each parliamentary committee. Parliament responded as fully and promptly as possible to the demands of the role assigned to it by the Treaty. It mobilised its political and administrative resources effectively in order to rise to the task of being a responsive, responsible and constructive actor in the talks and in the procedure as a whole.

Although the European Parliament is not formally part of the negotiations on the withdrawal of a Member State, it is competent under Article 50 TEU for consent on a withdrawal agreement concluded between the EU and the withdrawing Member State. Parliament is also the EU institution that has a general political control competence as provided for in the Treaty. For those reasons, Parliament followed very closely, and played an active role in, every step related to the withdrawal of the UK from the Union.

Parliament was seized of the matter after the referendum in the United Kingdom of 23 June 2016, in which a majority of 51.9% voted in favour of leaving the European Union.

An extraordinary meeting of the Conference of Presidents took place immediately after the referendum, on 24 June 2016, in order to prepare the President of the Parliament's meeting with the Presidents of the other institutions following the referendum, and also to consider Parliament's next steps in the process.

At the extraordinary part-session of 28 June 2016, in which the outcome of the referendum was debated, Parliament adopted a resolution on the decision to leave the EU resulting from the UK referendum (P8_TA(2016)0294), with 395 votes in favour, 200 against and 71 abstentions, recalling its competences under the Treaties and demanding to be fully involved at all stages of the withdrawal process. Through its own and the other institutions' initiative, Parliament has been effectively involved since the start of the process, and has been consulted on, debated and analysed all the institutional and policy consequences of Brexit.

In view of the complex political, horizontal, legal and policy issues involved, the coordination of Parliament's work was centralised at the level of the Conference of Presidents, as the lead body within Parliament following the UK withdrawal from the EU. The Conference of Presidents established a phased approach to the process: a first phase until the definition of the European Council guidelines, when the work would be kept at the level of the Conference, with Guy Verhofstadt (ALDE, BE) as coordinator for the negotiations on the UK withdrawal following his appointment at the Conference meeting of 8 September 2016; a second phase of negotiations, when Guy Verhofstadt would coordinate the work with the Chair of the Committee on Constitutional Affairs (AFCO), Danuta Hübner (EPP, PL); and a third phase, steered by AFCO and other committees, corresponding to the consent procedure.

In this context, and with the same aim of ensuring Parliament's structured involvement in the withdrawal process, the Brexit Steering Group (BSG) was established by the Conference of Presidents (formally at the meeting of the Conference of Presidents of 6 April 2017, but informally set up after the adoption of Parliament's resolution of 28 June 2016).

The BSG was tasked with coordinating and preparing Parliament's deliberations, considerations and resolutions on the UK's withdrawal from the EU, under the aegis of the Conference of Presidents. It was composed of Guy Verhofstadt, Chair and coordinator, Elmar Brok (EPP, DE), Roberto Gualtieri (S&D, IT), Philippe Lamberts (Greens/EFA, BE), Gabriele Zimmer (GUE/NGL, DE) and Danuta Hübner, as Chair of AFCO.

Parliament was involved at all times in the methods and structures dealing with the negotiations, through information channels or active participation. In line with the Statement of 15 December 2016 issued after the informal meeting of the Heads of State or Government of the 27 Member States, 'representatives of Parliament' were invited to the preparatory meetings of the European Council. This meant that Parliament was effectively involved, including in Sherpa meetings and the General Affairs Council. By a decision taken in the Conference of Presidents of 4 April 2017, the President of Parliament appointed three Members to represent Parliament at Sherpa meetings in preparation of European Council meetings on the UK withdrawal – Elmar Brok, Roberto Gualtieri and Guy Verhofstadt. At the same meeting, Guy Verhofstadt was charged with attending the relevant meetings of the General Affairs Council and meetings on political stocktaking of the state of play. The President of Parliament is invited to speak at the beginning of the European Council meetings. Finally, the Union's Chief Negotiator, Michel Barnier, has kept Parliament closely and regularly informed of all developments, briefing and debriefing Parliament before and after every round of negotiations and in the context of major developments or steps in the process, such as European Council meetings related to Brexit. Michel Barnier has participated in several meetings of the Conference of Presidents and of the Conference of Committee Chairs in order to discuss the state of play of negotiations with political group leaders and committee chairs.

The BSG has met more than 70 times and has effectively contributed to Parliament being systematically involved and always at the forefront of the procedure, through timely resolutions and statements that contain substantiated positions on all negotiations and major developments since the notification of the intention to withdraw.

Parliament's engagement took shape not only in the significant number of meetings held by the Brexit Steering Group and of debates in the Conference of Presidents, but also in debates in plenary on Brexit. Its resolutions were always broadly aligned with the positions of the other institutions on all matters related to Brexit. The BSG has also issued a number of statements on various issues at crucial moments when negotiations progressed or stalled. Parliament has also remained in close contact with the Government and the authorities of the UK, including the UK Home Office in particular, regarding the issue of citizens' rights.

2. Role of AFCO – preparatory work

Beyond such organisational decisions by the Conference of Presidents, and according to the Rules of Procedure of the European Parliament, AFCO is the committee competent for the consent referred to in Article 50 TEU. Indeed, Rule 88⁴ on withdrawal from the Union, provides that 'if a Member State decides, pursuant to Article 50 of the Treaty on European Union, to withdraw from the Union, the matter shall be referred to the committee responsible'. In accordance with section XVIII of Annex V to the Rules of Procedure, on the powers and responsibilities of standing committees, AFCO is the committee responsible for the institutional consequences of withdrawal, and is therefore responsible for the consent procedure after the conclusion of the negotiations.

AFCO should thus play a horizontal role, without prejudice to the specific competences of other committees on sectoral issues. AFCO is in charge of issuing a recommendation to approve or reject a withdrawal agreement as negotiated by the EU and the withdrawing Member State. Such recommendation should take the form of a resolution, including citations but not recitals, and could contain a short justification, which is not put to the vote. Only amendments aimed at reversing the recommendation proposed by the Rapporteur are admissible. The relevant procedure is provided for in Rule 105⁵ of the Rules of Procedure.

Parliament should adopt a decision on consent that takes into account the AFCO recommendation. Under Rule 105(4)⁶ of the Rules of Procedure, Parliament decides by means of a single vote on consent, irrespective of whether the recommendation is to approve or reject the act. No amendments may be tabled and, in line with Rule 88⁷, Parliament decides by a majority of the votes cast.

AFCO carried out exhaustive preparatory work, gathering evidence, advice and expertise from different public or private sectors and stakeholders, either on the continent or in the UK. AFCO, like other parliamentary committees, organised debates and hearings on the implications of the withdrawal of the UK from the Union on the policy areas under their respective remits, in line with the guidelines provided by the Conference of Presidents.

Since 3 September 2015, AFCO has discussed Brexit at more than 40 committee meetings, including debates with the EU Chief Negotiator, the BSG coordinator, and other institutional

⁴ Ex Rule 82 of the Rules of Procedure.

⁵ Ex Rule 99 of the Rules of Procedure.

⁶ Ex Rule 99 of the Rules of Procedure.

⁷ Ex Rule 82 of the Rules of Procedure.

stakeholders. There have been hearings, workshops and presentations of studies or briefing papers on issues ranging from the renegotiation of the United Kingdom's constitutional relationship with the European Union and the agreement reached by the European Council on 18-19 February 2016, to the UK's future constitutional relationship with the European Union, citizens' rights, and the implications of Brexit for the Irish border.

AFCO also participated, or was directly involved, in hearings of other committees on issues related to the withdrawal or the future relationship between the EU and the UK. In addition to these special events, the withdrawal issues and, in particular, the state of play of the process were debated at virtually every committee meeting following the notification of the intention to withdraw.

AFCO created an Internal Working Group in September 2016, with the aim of preparing and coordinating AFCO activities concerning the procedure for the UK's withdrawal from the Union after the notification under Article 50 TEU.

Finally, the Chair of AFCO and BSG member, Danuta Hübner, was actively involved in the intensive efforts to gather evidence and information, holding around 500 bilateral meetings with public and private stakeholders on issues related to the withdrawal and its impact on the EU and the UK, and participating in a significant number of external events related to Brexit. As a member of the BSG, she took part in its 70 or so meetings and consistently reported the results of all BSG and bilateral meetings back to the Members of AFCO during AFCO meetings.

All of AFCO's activities have produced a wealth of substantial and relevant information on the withdrawal and beyond, in particular on the functioning of the European Union and on the impact of the withdrawal on citizens, businesses, institutions and communities.

In identifying the main constitutional and institutional issues stemming from the UK's withdrawal at an early stage, AFCO produced a document that contained a number of proposed and preliminary questions regarding those issues. Among the most relevant of those identified in the context of AFCO's remit was the revision of the European Council Decision establishing the composition of the European Parliament⁸.

Decision 2013/312/EU of the European Council of 28 June 2013 establishing the composition of the European Parliament (to which Parliament gave its consent) allocates 73 seats in the European Parliament to the United Kingdom.

According to Article 4 of that Decision, which applied only to the 2014-2019 term, Parliament was to present by the end of 2016 a proposal for the definition of '*...a system which in future will make it possible, before each fresh election to the European Parliament,*

⁸ Parliament has the initiative on this matter and must give its consent to the decision of the European Council, which decides by unanimity (Article 14(2) TEU). The Conference of Presidents postponed its decision on the authorisation to draft the legislative INI requested by AFCO until the triggering of Article 50 by the UK, but allowed AFCO to start the necessary preparatory work. The President of the European Parliament informed the President of the European Council of this, by letter of 14 December 2016.

to allocate the seats between Member States in an objective, fair, durable and transparent way...’.

The withdrawal of the UK had a direct impact on the allocation of seats and the composition of Parliament. Parliament, in its resolution of 7 February 2018 on the composition of the European Parliament, therefore proposed a new allocation of seats in Parliament to be applied as of the European elections in 2019, and European Council Decision 2013/312/EU was effectively revised and replaced by European Council Decision (EU) 2018/937 of 28 June 2018 establishing the composition of the European Parliament. This contained specific provisions to cater for ‘the event that the United Kingdom is still a Member State of the Union at the beginning of the 2019-2024 parliamentary term’, or the withdrawal becoming legally effective before the beginning of that term.

3. Withdrawal procedure suspended

The developments in the United Kingdom regarding the withdrawal have effectively brought the procedure to a halt. Indeed, after the closure of the negotiations in November 2018, and despite all the effort, and the reassurances and guarantees provided by the EU and by the UK Government regarding the implementation of the Withdrawal Agreement and the negotiations on a future relationship, the House of Commons rejected the draft withdrawal agreement in three consecutive ‘meaningful’ votes. The first of these was held on 15 January 2019 (432 votes against; 202 votes in favour), the second on 12 March 2019 (391 votes against; 242 votes in favour), and the third on 29 March 2019 (344 votes against; 286 votes in favour).

Given the circumstances, on 21 March 2019, the European Council (Art. 50) granted the UK Prime Minister’s request for an extension under Article 50(3) TEU. Brexit was then delayed until 22 May 2019, under the condition that the House of Commons approved the Withdrawal Agreement by 29 March or, failing this, until 12 April 2019. Following the defeat of 29 March 2019, the UK submitted a second extension request on 5 April 2019, which was granted by the European Council on 10 April 2019. This second extension was to be as long as necessary to allow for ratification of the Withdrawal Agreement, but no longer than 31 October 2019, and on the condition that, not having ratified by 22 May 2019, the UK participated in the European elections of 23-26 May 2019.

For this reason, and although the draft Council decision on the conclusion of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community had been referred to Parliament and announced in plenary on 31 January 2019, the consent procedure was not concluded, as approval of the withdrawal agreement was not secured in the United Kingdom parliament.

7. Interinstitutional relations



7.1. Better Law-Making

- Interinstitutional Agreement on Better Law-Making

- **Rapporteur:** Danuta Maria Hübner (EPP, PL)
- **Procedure:** Interinstitutional Agreement (2016/2005(ACI))

- Interpretation and implementation of the Interinstitutional Agreement on Better Law-Making

- **Rapporteurs:** Richard Corbett (AFCO, S&D, UK) and Pavel Svoboda (JURI, EPP, CZ)
- **Procedure:** Own-initiative report, joint committee procedure JURI (2016/2018(INI))

Main elements

As part of its **Better Regulation package**, the Commission proposed a new Interinstitutional Agreement (IIA) on Better Law-Making on 19 May 2015. After several rounds of negotiations between the Commission, Parliament and the Council, an agreement was reached on 8 December 2015. This agreement was endorsed by Parliament's Conference of Presidents on 16 December 2015. In accordance with Parliament's Rules of Procedure, the AFCO committee examined the agreement and recommended to plenary that the IIA be adopted. On 9 March 2016, Parliament decided to approve it.

Parliament welcomed the agreement as **a good basis for establishing and developing a new, more open and transparent relationship between the three institutions** with a view to delivering better law-making in the interest of the Union's citizens. Parliament's decision **also identified a range of issues requiring further follow-up at political and/or technical level.**

These issues were the subject of further analysis in a joint **JURI-AFCO own-initiative report** on the interpretation and implementation of the new IIA. With a view to drafting this report, the JURI and AFCO committees set up a working group to examine the implementation of the new IIA in more detail. On the basis of the work carried out by this

working group, the two committees drew up the report on the implementation and interpretation of the IIA, which was adopted by Parliament in plenary on 30 May 2018.

The report examined **the implementation of the provisions on programming, tools for better law-making, legislative instruments, delegated and implementing acts, the transparency and coordination of the legislative process, the implementation and application of Union legislation, simplification and the implementation and monitoring of the IIA**. The report generally welcomed the progress achieved (e.g. the adoption of joint declarations on annual interinstitutional programming, the establishment of a joint register for delegated acts, access to expert meetings of the Commission in preparation of delegated acts) and the experience gained in the first year and a half of the application of the new IIA. It encouraged the Institutions **to make further efforts to fully implement the agreement**, in particular regarding the interinstitutional negotiations **on non-binding criteria for the application of Articles 290 and 291 of the TFEU (delegated and implementing acts)**, the alignment of all basic acts that still refer to the regulatory procedure with scrutiny (RPS), interinstitutional negotiations on practical arrangements for cooperation and information-sharing regarding the negotiation and conclusion of international agreements, and the establishment of a dedicated joint database on the state of play of legislative files.

The committee also adopted **an opinion on the Commission proposal to amend the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers** (Rapporteur: Pascal Durand (Greens/EFA, FR)) in which it called for **increased transparency of Member States' votes** in the standing and appeal committee, but **did not follow a proposal by the Commission not to take into account the votes of Member States in the appeal committee that abstain from voting**.

7.2. Ombudsman's strategic inquiry on the transparency of legislative discussions in the preparatory bodies of the Council

- **Rapporteurs:** Jo Leinen (S&D, DE) and Yana Toom (ALDE, EE)
- **Procedure:** Own-initiative report, joint committee meeting procedure PETI (2018/2096 (INI))

Main elements

In March 2017, the European Ombudsman **opened a strategic inquiry on the transparency of legislative discussions in the preparatory bodies of the Council**, in which she found that the Council's current practices **constitute maladministration**, and on 9 February 2018 she made three specific recommendations and several suggestions to the Council on how to improve the transparency of its legislative process. The Council did not reply within the legally-prescribed timeline of three months. On 16 May 2018, the Ombudsman **sent a special report to the European Parliament to seek its support on the matter**.

The Conference of Presidents authorised the AFCO and PETI request to draw up an own-initiative report on the Special Report of the European Ombudsman in the strategic inquiry on the transparency of the Council legislative process.

In its report, AFCO shared the Ombudsman's views that **citizens should be able to understand, follow in detail and participate in the progress of legislation**, and called for a high level of transparency of the legislative process. It also deplored the non-transparent nature of the meetings of the preparatory bodies of the Council, as well as the Council's malpractice of not proactively publishing most documents relating to legislative files. It also considered the Council's practice of systematically classifying documents distributed in its preparatory bodies relating to **legislative files as 'LIMITE'** to be a violation of the case law of the Court of Justice of the European Union (CJEU). This lack of information **hampers the ability of national parliaments to control the actions of national governments in the Council** and is incompatible with democratic principles. AFCO also **considered voting in public to be a fundamental characteristic of democratic decision-making**. It urged the Council to make use of the **possibility of QMV** and to refrain, where possible, from the practice of taking decisions by consensus without a formal vote in public. Finally, AFCO also fully endorsed the Ombudsman's recommendations to the Council.

AFCO's suggestions were largely upheld in a plenary vote on 17 January 2019.

7.3. Procedures and practices regarding Commissioner hearings, lessons to be taken from the 2014 process

- **Rapporteur:** Richard Corbett (S&D, UK)
- **Procedure:** Own-initiative report (2015/2040(INI))

Main elements

As was the case after previous elections, Parliament **evaluated the procedures and methods employed for the hearings of individual Commissioners**, analysing the rules and technical arrangements, the questionnaires, the structure of the hearings, the outcome of the 27 initial and 2 subsequent hearings, the result of the Parliament vote, and media interest. In its resolution adopted on 8 September 2015, **Parliament suggested that a deadline be set by which all Member States have to put forward their candidates**, and also that **each Member State put forward at least two candidates – male and female on a footing of equality** – for consideration by the Commission President-elect. Parliament also underlined **the importance of a substantive analysis of the declarations of financial interests**, including family interests, and made some suggestions **to improve the conduct of hearings**, the written questions, the monitoring of replies, guidelines for the coordinators' evaluation meetings after the hearings, and on making information available in the framework of the hearings. The adoption of this report **led to subsequent changes in Parliament's Rules of Procedure**.

7.4. Revision of the framework agreement on relations between the European Parliament and the Commission

- **Rapporteur:** Esteban González Pons (EPP, ES)
- **Procedure:** Interinstitutional Agreement pursuant to Rule 148⁹ of Parliament's Rules of Procedure (2017/2233(ACI))

Main elements

In a letter from its President to the President of the European Parliament dated 23 November 2016, the Commission put forward a proposed revision of the Framework Agreement on relations between the two institutions as a follow-up to the announcement it made when presenting its Work Programme for 2017. The purpose of the proposal was to set out the arrangements under which the Commissioners-in-office could participate as candidates in the European elections, including as leading candidates (*'Spitzenkandidaten'*) of the European political parties.

Following negotiations with the Conference of Presidents, in a letter from its President to the President of the European Parliament dated 2 October 2017 the Commission confirmed its endorsement of the amendments agreed.

On 21 November 2017, AFCD appointed **Esteban González Pons** (EPP, ES) rapporteur on the revision of the Interinstitutional Agreement, and on 23 January 2018 it adopted its report on the revision of the Framework Agreement on relations between the European Parliament and the European Commission (2017/2233(ACI)) by 17 votes to 6, with no abstentions.

Lastly, on 7 February 2018, the plenary adopted its decision *on the revision of the Framework Agreement on relations between the European Parliament and the European Commission* (2017/2233 (ACI)) with 457 votes in favour, 200 against and 20 abstentions.

In addition to approval of the revision of the framework agreement negotiated between the representatives of the two institutions, the decision offered an opportunity to reaffirm strongly the European Parliament's support for the *Spitzenkandidaten* system and the requirement that the outcome of the next European elections in 2019 be respected by the European Council when proposing to the European Parliament a candidate for President of the future Commission which would take office on 1 November 2019.

⁹ Ex Rule 140 of the Rules of Procedure

8. Electoral procedure



8.1. Reform of the Act concerning the election of Members of the European Union by direct universal suffrage

- **Rapporteurs:** Danuta Maria Hübner (EPP, PL) and Jo Leinen (S&D, DE)
- **Procedure:** Special legislative initiative procedure laid down in Article 223(1) TFEU whereby Parliament drafts a proposal and submits it to the Council. The Council adopts its decision by unanimity, after obtaining Parliament's consent. To give its consent, Parliament needs the majority of its component Members (an absolute majority of 376 in favour). Afterwards, Member States need to approve the electoral provisions in accordance with their respective constitutional requirements (2015/2035(INL))

Main elements

Despite the fact that the Treaty of Rome in 1957 already envisaged the possibility of establishing a uniform electoral procedure based on direct universal suffrage, elections to the European Parliament are still very much dominated by national electoral rules. AFCO was therefore determined to look into **ways of reforming the outdated and diverse methods governing European elections**.

The draft report on the reform of EU electoral law was voted in AFCO on 28 September 2015 and was adopted in plenary on 11 November 2015. Among the most notable amendments to the 1976 act contained in Parliament's resolution were **the creation of a joint constituency in which lists are headed by each political family's candidate for President of the Commission (which was not part of AFCO's initial proposal but was added at plenary level); the introduction of an obligatory threshold; measures to enhance the visibility of European political parties; common deadlines for the establishment of lists at national level and for the finalisation of the electoral roll; the introduction of electronic, internet and postal voting; measures to ensure gender equality; the right to vote of citizens living outside the EU; common poll closing times; and a few other measures that would strengthen the role of Parliament in establishing the electoral period.**

The Council reached agreement at the COREPER meeting of 7 June 2018 and Parliament was officially requested to give its consent on 18 June 2018. Parliament's consent on the draft Council decision amending the Act concerning the election of the members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976 was given on 2 July 2018 with 397 votes in favour, 207 against and 62 abstentions.

Council Decision 2018/994 was adopted on 13 July 2018.

The contents of the 2018 reform were as follows:

- Article 1 - **Reference to MEPs as representatives** of EU citizens
- Article 3 - **Obligatory threshold** with a range of 2-5% applicable for constituencies with more than 35 seats
- Article 3a - A **non-binding deadline for finalisation of the lists of candidates**, only where national legislation already makes provision for such a deadline, and reduced from 12 weeks to 3 weeks
- Article 3b - Provisions on the **visibility of European political parties**
- Article 4a - The possibility to **introduce advance, postal, electronic and internet voting**
- Article 9 - New provision creating an **obligation for Member States to ensure effective, proportionate and dissuasive penalties in the case of double voting**
- Article 9a - In accordance with their national electoral procedures, **Member States may take the necessary measures to allow their citizens residing in third countries to vote in elections to the European Parliament**
- Article 9b - Obligation for Member States to designate a **contact authority** for exchanging data on voters and candidates and to set a deadline for the start of such data exchange.

8.2. Fixing the period for the ninth election of representatives to the European Parliament by direct universal suffrage

- **Rapporteur:** Danuta Maria Hübner (EPP, PL)
- **Procedure:** Special procedure under Article 11(2) of the Act concerning the election of the members of the European Parliament by direct universal suffrage, whereby the Council seeks the opinion of Parliament if it proposes a change to the usual dates on which elections are held (2018/0805(CNS)).

Main elements

This report was drawn up **in response to a request for consultation from the Council on a draft decision seeking to modify the period during which the forthcoming European elections would otherwise have been held**. Under Article 11(2) of the Act concerning the election of the members of the European Parliament by direct universal suffrage (the 'Electoral Act'), this period would have been Thursday 6 to Sunday 9 June 2019, by analogy with the dates on which the first elections by direct universal suffrage were held

(Thursday 9 to Sunday 12 June 1979).

However, in accordance with Article 11(2) of the Electoral Act, if it proves impossible to hold the elections during that period, the Council acting unanimously shall, after consulting the European Parliament, determine, at least one year before the end of the five-year term, another electoral period which shall not be more than two months before or one month after the period normally applicable.

Council reached an agreement among the Member States that it would prove impossible to hold the next European Parliament election during the normally applicable dates and proposed, pending the consultation of the European Parliament, **to hold the elections in the period from 23 to 26 May 2019. The same period was suggested by the Conference of Presidents of the Parliament in their meeting of 11 January 2018.**

9. Political parties and political foundations at European level



- **Rapporteurs:** Mercedes Bresso (S&D, IT) and Rainer Wieland (EPP, DE)
- **Procedure:** Ordinary legislative procedure under Article 224 TFEU

Main elements

Regulation (EU, Euratom) No 1141/2014 on the statute and funding of European political parties and European political foundations was revised twice during the 2014-2019 parliamentary term. It is covered by the ordinary legislative procedure under Article 224 of the Treaty on the Functioning of the European Union (TFEU).

The first revision was prompted by a joint letter of 28 April 2016 forwarded to the Commission (in keeping with its right of legislative initiative) by the Presidents of three European political parties, the European People's Party, the Party of European Socialists and the Alliance of Liberals and Democrats for Europe, followed on 15 June 2017 by a resolution *on the financing of political parties and political foundations at European level* adopted by the European Parliament, which urged the Commission to propose a revision in particular as regards the level of co-financing (own resources) and the possibility for Members of the European Parliament to be members of several parties.

The Commission addressed these calls by presenting its legislative proposal on 13 September 2017.

On 28 September 2017, AFCEC appointed two co-rapporteurs: **Mercedes Bresso** (S&D, IT) and **Rainer Wieland** (EPP, DE), whose report *on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations* was adopted by AFCEC on 21 November 2017, by 19 votes to 2 with 2 abstentions.

The plenary then approved a negotiating mandate on the basis of this report at the session of 29 and 30 November 2017.

Only a single trilogue meeting, held on 27 February 2018, was needed to reach an agreement with the Council, which AFCEC subsequently endorsed on 21 March 2018 by 22 votes to 1 with 1 abstention; the plenary followed suit on 17 April 2018 by 589 votes in favour, 89 against and 36 abstentions.

The amendments to the basic regulation adopted in this way, as incorporated into *Regulation (EU, Euratom) 2018/673 of the European Parliament and of the Council of 3 May 2018 amending Regulation (EU, Euratom) No 1141/2014 on the statute and funding of European political parties and European political foundations* and approved unchanged by the Council, were published and entered into force on 4 May 2018.

In particular, they introduced stricter rules governing parties' and foundations' access to European public funding and the recovery of misused funds; only national political parties (and not individuals) will henceforth be able to form a European political party if they want to be eligible for funding. A party may be removed from the register drawn up by the Authority for European Political Parties and European Political Foundations if it provides the Authority with incorrect or misleading information. And, at Parliament's express request, provision has been made for a group of citizens to ask the European Parliament to refer the matter to the Authority in order to verify that parties and foundations are upholding the fundamental values of the Union.

The second revision was announced by Commission President Jean-Claude Juncker in his State of the Union address and the Commission proposal was presented the same day.

It was part of the package of measures to guarantee free and fair European elections.

On 24 September 2018, AFCO confirmed **Mercedes Bresso** (S&D, IT) and **Rainer Wieland** (EPP, DE) as its two co-rapporteurs and on 6 December 2018 it adopted their report *on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 1141/2014 as regards a verification procedure related to infringements of rules on the protection of personal data in the context of elections to the European Parliament* unanimously (21 votes in favour).

The plenary then approved a negotiating mandate on the basis of that report at the part-session from 10 to 13 December 2018.

An agreement was reached with the Council at the only trilogue meeting, held on 16 January 2019. That agreement was endorsed by AFCO on 29 January 2019, again unanimously (20 votes in favour) and ratified in plenary on 12 March 2019 by 586 votes in favour, 55 against and 24 abstentions.

The amendments to the basic regulation adopted in this way and incorporated into *Regulation (EU, Euratom) 2019/493 of the European Parliament and of the Council of 25 March 2019 amending Regulation (EU, Euratom) No 1141/2014 as regards a verification procedure related to infringements of rules on the protection of personal data in the context of elections to the European Parliament* and approved unchanged by the Council, were published and entered into force on 27 March 2019.

Their aim was to prevent and to punish (including financially), on the basis of decisions by national data protection supervisory authorities, any attempt to deliberately influence the outcome of the European elections by taking advantage of an infringement by a natural or legal person of the applicable rules on personal data protection. The regulation also broadened the administrative powers of the Director of the Authority for European Political Parties and European Political Foundations.

Hearing of representatives of the Alliance for Peace and Freedom

Article 5 of Regulation (EC) No 2004/2003, repealed by Regulation No 1141/2014, stipulated that Parliament should verify regularly whether European political parties are upholding the Union's fundamental values.

Parliament had defined the terms of this verification process in Rule 225 of its Rules of Procedure.

However, Article 40 of Regulation No 1141/2014 contained a transitional provision stipulating that the regulation it repealed would continue to apply to '*acts and commitments linked to funding (...) for the financial years 2014, 2015, 2016 and 2017*'.

On 26 May 2016, AFCO received a request from the President of the European Parliament — made at the instigation of the EPP, S&D, ALDE and GUE/NGL Groups and supported by the requisite number of Members (at least one-quarter of Parliament's Members representing at least three political groups) — to carry out the verification procedure vis-à-vis the European political party Alliance for Peace and Freedom.

Before any action was taken on this request, Parliament's Legal Service was asked for an opinion in order to ascertain whether the conditions governing the extension of the provisional application of Regulation No 2004/2003 had in fact been met.

Once the Legal Service confirmed that they had, AFCO forwarded, through the President of Parliament, a request for an opinion to the committee of independent eminent persons established by Regulation 2004/2003.

Although the opinion had not yet been delivered, on 9 February 2017 AFCO nevertheless heard representatives of the political party concerned.

Delivery of an opinion by the committee of independent eminent persons is a prerequisite before a recommendation to plenary can be adopted, and AFCO therefore stayed the procedure pending receipt of the committee's opinion.

Since Regulation No 1141/2014 became fully applicable in all its elements on 1 January 2018 and the committee of independent eminent persons has not adopted an opinion in the meantime (because it has never met), this procedure has lapsed.

10. Rules of Procedure



10.1. General revision

When drawing up its work programme, after its constitution at the beginning of the parliamentary term in autumn 2014, AFCO decided to carry out a thorough revision of Parliament's Rules of Procedure with a view to *identifying possible errors, inconsistencies and gaps, as well as provisions which have become obsolete or require adaptation in the light of previous years' experience*.

To that end, it set up a working group bringing together representatives of all the political groups and an observer from the non-attached Members. The group appointed as its chair **Rainer Wieland** (EPP, DE) - a Vice-President of Parliament - and as its rapporteur **Richard Corbett** (S&D, UK), the author of a number of significant reports on the amendment of the Rules of Procedure during previous parliamentary terms.

The working group held 33 meetings, either in Strasbourg or Brussels, between 13 January 2015 and 9 June 2016. It was assisted by a project group bringing together representatives of all the departments in Parliament's Secretariat directly concerned by all the proposed changes, as well as representatives of the cabinets of the Secretary-General and the President of Parliament and the political group coordination unit.

The results of the working group's proceedings then served as the basis for the drafting of the AFCO report (the committee officially designated **Richard Corbett** as its rapporteur on 12 July 2016).

The work carried out ultimately went far beyond the initial mandate referred to above. The proposed amendments had an impact on all the titles of the Rules of Procedure, with the exception of Titles VI (Relations with national parliaments), XI (Secretariat of Parliament) and XIV (Miscellaneous provisions), whilst of the five annexes subject to the same adoption procedure as the amendments to the Rules of Procedure, only Annexes III (Guidelines and general principles for the choice of subjects to be included on the agenda of debates on cases of breaches of human rights, democracy and the rule of law as provided for in Article 135) and IV (Procedure for the examination and adoption of decisions on granting discharge) were not amended. It was thus the most significant revision of the Rules of Procedure since the first direct elections to the European Parliament in 1979.

On 8 November 2016, AFCO adopted the report by Richard **Corbett on the general revision of Parliament's Rules of Procedure** by 19 votes to 5, with no abstentions.

The vote in plenary was held on 13 December 2016 (adopted by 548 votes in favour, 145 against and 13 abstentions) and the amendments made in this way entered into force at the opening of the following part-session on 16 January 2017, with the exception of some provisions relating to Rules 196 to 200 (concerning the constitution of parliamentary committees), 204 (committee bureaux) and 212 (interparliamentary delegations), which were intended to apply only from the first part-session following the 2019 elections, i.e. from 2 July 2019.

The major changes resulting from this revision include increased transparency and increased scrutiny of the arrangements governing interinstitutional negotiations in the context of the legislative procedure, the implementation of commitments stemming from the Interinstitutional Agreement on Better Lawmaking, the strengthening of the Code of Conduct for Members and their obligations with regard to financial interests, as well as the penalties applicable in the event of breaches of the rules, the rationalisation of procedural thresholds and the imposition of a limit on the number of requests for roll-call votes, changes in the composition of parliamentary committees, the introduction of topical debates at the discretion of each political group, and the introduction of small and major interpellations addressed to representatives of the other institutions.

Lastly, most of the annexes to the Rules of Procedure were grouped together in a ***Compendium of the main legal acts in connection with the Rules of Procedure***, which is separate from the Rules of Procedure; only those annexes which have a direct bearing on Parliament or its bodies were retained as proper annexes.

The decision held over pending further consideration the revision of the internal budgetary procedures and the assessment of the application of the new provisions concerning the definition of thresholds and the rules implementing them.

10.2. Revision supplementing the general revision

A new cycle of work building on the previous decisions was launched just over a year later, originally to address issues left outstanding during the general revision.

However, it became clear that discussions on internal budgetary provisions and the definition and application of the thresholds were premature. These matters were therefore held over to the next parliamentary term.

As a result, the debate has focused on matters already dealt with previously, but whose implementation proved problematic or in respect of which a significant number of MEPs were calling for further progress, in particular on transparency.

Accordingly, the committee working group which had prepared the general revision held seven more meetings, with an unchanged membership, between 5 October 2017 and 14 June 2018.

AFCO then appointed **Richard Corbett** (S&D, UK) rapporteur once again, on 20 June 2018.

After discussions in committee and among the shadow rapporteurs, the report ***on the amendment of Title I, Chapters 1 and 4, Title V, Chapter 3, Title VII, Chapter 4, Title XII, Title XIV and Annex II to the Rules of Procedure of the European Parliament*** was adopted by AFCO on 6 December 2018 with 21 votes in favour and no abstentions.

The plenary then took a decision on 31 January 2019 (adopted by 496 votes in favour, 114 against and 33 abstentions), with the approved amendments coming into force on 11

February 2019, with the exception of certain provisions relating to Rule 11 (Rules of conduct) and points 6 and 7 of the Code of Appropriate Behaviour for Members of the European Parliament in the performance of their duties and to Rules 196 (Constitution of the standing committees) and 204 (Committee bureaux), which were to come into force only from the beginning of the ninth parliamentary term (July 2019).

This additional revision led, for example, to a further tightening-up of the standards of conduct for Members in order to combat, in particular, offensive language or inappropriate behaviour, including psychological or sexual harassment, significant progress as regards the transparency of legislative work (public nature of meetings with lobbyists) and the use of parliamentary allowances, as well as the functioning of intergroups, a recast of the arrangements governing parliamentary questions (in particular the interpellations introduced during the previous reform) and the inclusion of provisions on the treatment of European initiatives and on the conditions governing the admissibility of citizens' requests to verify that European political parties and foundations are upholding the EU's fundamental values.

10.3. Interpretations of the Rules of Procedure

The European Parliament also adopted, on a proposal from AFCE, a number of interpretative decisions concerning its Rules of Procedure, dealing with:

- **point 1 a) of Annex XVI** (now Annex VII¹⁰) on *consideration of the declarations of financial interests of the Commissioners-designate* (decision of 28 April 2015);
- **Rule 138(3)**¹¹ on *questions for written answer* (decision of 9 September 2015);
- **Rule 201**¹² on *the suspension or closure of the sitting* (decision of 9 September 2015);
- **Rule 61(2)**¹³ on *the adoption of amendments to a Commission proposal* (decision of 15 September 2016);
- **Rule 5(5) and Rule 221**¹⁴ on *access to confidential information* (decision of 5 July 2017);
- **Rule 182(1)(b)**¹⁵ on *the lack of a majority, in committee, on a proposal for a legally binding act* (decision of 13 March 2019);
- **Rule 158(2)**¹⁶ on *the drafting or modification of the title of a resolution tabled to wind up a debate* (decision of 17 April 2019);

¹⁰ Ex Annex VI before the renumbering that entered into force in July 2019.

¹¹ Ex Rule 130 before the renumbering that entered into force in July 2019.

¹² Ex Rule 191 before the renumbering that entered into force in July 2019.

¹³ Numbering remained unchanged.

¹⁴ Ex Rule 210a before the renumbering that entered into force in July 2019.

¹⁵ Ex Rule 171 before the renumbering that entered into force in July 2019.

¹⁶ Ex Rule 149a before the renumbering that entered into force in July 2019.

- **second indent of the first subparagraph of Rule 33(5)**¹⁷ on *the political declaration on the establishment of a political group* (decision of 17 April 2019).

¹⁷ Ex Rule 32 before the renumbering that entered into force in July 2019.

11. Relations with national parliaments



11.1. Interparliamentary Committee Meetings

The European Parliament's committees may directly engage in a dialogue with national parliaments at committee level. This may include meetings that bring together members of national parliaments and MEPs from corresponding committees to discuss matters of common concern.

During the 8th legislative term, AFCO organised five Interparliamentary Committee Meetings (ICMs) dedicated to the following topics:

Date	Programme and Participants
19 November 2015	<p>The future institutional evolution of the Union: enhancing political dialogue between the EP and national Parliaments and reinforcing parliamentary scrutiny over the executive at European level</p> <p><u>Introductory statements:</u></p> <ul style="list-style-type: none">• Marc Angel, Chairman of the Committee on Foreign and European Affairs, Defence, Cooperation and Immigration of the Luxembourg Chamber of Deputies• Nicolas Schmit, Luxembourg Minister for Labour, Employment and the Social and Solidarity Economy – Former Member of the European Convention <p><u>I: The future institutional evolution of the Union</u></p> <ul style="list-style-type: none">• Mercedes Bresso and Elmar Brok, AFCO Co-Rapporteurs on 'Improving the functioning of the European Union building on the potential of the Lisbon Treaty' (2014/2249(INI)) <p><u>II: Reinforcing the parliamentary scrutiny of EU governance</u></p> <p><u>Hearing on 'Parliamentary scrutiny over the executive in the EU'</u></p> <ul style="list-style-type: none">• Christine Neuhold, Special Chair of EU Democratic Governance, Department of Political Science, Faculty of Arts and Social Sciences,

Date	Programme and Participants
	<p>Maastricht University</p> <ul style="list-style-type: none"> • Olivier Rozenberg, Associated Professor in Political Sciences, Centre d'études européennes de Sciences Po, Paris • Philippe Poirier, Holder of the Chair of Parliamentary Studies Research in the Chamber of Deputies of Luxembourg , Head of the collection on parliamentary studies - Editions Larcier, Associate Professor of Political Sciences at the Collège des Bernardins and at the University of Paris Sorbonne (Celsa)
29 November 2016	<p>The European Parliament's right of Inquiry The revision of the European Union's electoral law The future institutional evolution of the European Union</p> <p><u>Introductory statements:</u></p> <ul style="list-style-type: none"> • Peter Javorčík, Slovak Permanent Representative to the EU • Kristalina Georgieva, Vice-President of the European Commission <p><u>I: The European Parliament's right of Inquiry</u></p> <ul style="list-style-type: none"> • Ramón Jáuregui Atondo, AFCO Rapporteur 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)' (ex 2009/2212(INL)) <p><u>II: The revision of the European Union's electoral law</u></p> <ul style="list-style-type: none"> • Danuta Maria Hübner and Jo Leinen, AFCO Co-Rapporteurs on 'The reform of the electoral law of the European Union' (2015/2035(INL)) <p><u>III: The future institutional evolution of the European Union</u></p> <p><u>Hearing on 'What constitutional paths for the future development of the European Union?'</u></p> <ul style="list-style-type: none"> • Mario Monti, Chair of the high level group on own resources, former Prime Minister of Italy and European Commissioner • António Vitorino, Former European Commissioner • Mercedes Bresso and Elmar Brok, AFCO Co-Rapporteurs on 'Improving the functioning of the European Union building on the potential of the Lisbon Treaty' (2014/2249(INI))
02 May 2017	<p>The implementation of the Treaty provisions concerning national Parliaments</p>

Date	Programme and Participants
	<p><u>Introductory statements:</u></p> <ul style="list-style-type: none"> • Václav Hampl, Chair of the EU Affairs Committee of the Czech Senát Parlamentu • Vanino Chiti, Chair of the EU Affairs Committee of the Senato della Repubblica, Italy • Enrico Forti, European Commission Director for relations with the other Institutions, including national Parliaments <p><u>Presentation of a preparatory document</u> by Paulo Rangel, AFCO Rapporteur on ‘The implementation of the Treaty provisions concerning national Parliaments’ (2016/2149(INI))</p> <p><u>Hearing on ‘Implementation of the Treaty provisions concerning national parliaments: the way forward’</u></p> <ul style="list-style-type: none"> • Carlo Casini: Interparliamentary cooperation at EU level (former AFCO Chair and former rapporteur on national parliaments) • Ludwik Dorn: Subsidiarity and national parliaments (former Polish Sejm Speaker) • Ingolf Pernice: Political structured dialogue and national parliaments (Research Director on Global Constitutionalism from the Humboldt Institute for Internet and Society, Berlin)
11 October 2017	<p>The future of Europe: Perspectives on the European Parliament’s proposals and the Commission White Paper</p> <p><u>Introductory statements:</u></p> <ul style="list-style-type: none"> • Matti Maasikas, President of the Council of the European Union, Deputy Minister for EU Affairs of the Republic of Estonia • Valdis Dombrovskis, Vice-President of the European Commission for the Euro and Social Dialogue, also in charge of Financial Stability, Financial Services and Capital Markets Union <p><u>I: Deepening the Economic and Monetary Union, the Future of EU Finances, the Social Dimension</u></p> <p><u>II: The Future of European Defence and Harnessing Globalisation</u></p>
10 October 2018	<p>State of the debate on the future of Europe</p> <p><u>Introductory statements:</u></p> <ul style="list-style-type: none"> • Juliane Bogner-Strauß, Austrian Council Presidency, Federal Minister

Date	Programme and Participants
	<p>within the Federal Chancellery for Women, Families and Youth</p> <ul style="list-style-type: none"> • Věra Jourová, Commissioner in charge of Justice, Consumers and Gender Equality • Reinhold Lopatka, Chair of the Permanent Subcommittee on EU Affairs of the Austrian National Council • Christian Buchmann, Chair of the EU Committee of the Austrian Federal Council <p><u>Presentations by:</u></p> <ul style="list-style-type: none"> • Luca Jahier, President of the European Economic and Social Committee • Barbara Duden, President of the Commission for Citizenship, Governance, Institutional and External affairs (CIVEX) of the Committee of the Regions • Joaquín Almunia, former Vice-President of the European Commission • Ramón Jáuregui Atondo, AFCE Rapporteur on 'The state of the debate on the future of Europe' (2018/2094(INI)) • Ivana Maletić, ECON rapporteur for opinion on 'The state of the debate on the future of Europe' (2018/2094(INI)) (associated committee)

11.2. Conference of Parliamentary Committees for Union Affairs (COSAC)

Under Rule 143 of Parliament's Rules of Procedure, the Chair of AFCO co-chairs the European Parliament delegation to the Conference of Parliamentary Committees for Union Affairs (COSAC), together with the Vice-President of the European Parliament responsible for relations with the national parliaments.

COSAC's role was formalised by Title II, Article 10, of Protocol (No 1) *on the role of national parliaments in the European Union* annexed to the Treaties establishing the European Union.

The Conference meets four times a year, twice at the level of the chairs of its delegations, and twice in plenary meetings attended by six-member delegations from each European affairs committee of each of the chambers of the national parliaments and a four-Member delegation from the European Parliament (in addition to its two co-chairs) chosen on the basis of the topics to be discussed at each meeting.

In the framework of the parliamentary dimension of the Presidency of the Council of the European Union, meetings are held on a six-month rotating basis in the Member State holding the Presidency and chaired by a representative of that Member State.

During the eighth term of the European Parliament, they took place successively in Italy (2014-II), Latvia and Luxembourg (2015), the Netherlands and Slovakia (2016), Malta and Estonia (2017), Bulgaria and Austria (2018) and Romania (2019-I).

During the last parliamentary term, the EP delegation was co-chaired by AFCO Chair **Danuta Hübner** (EPP, PL) and EP First Vice-President **Mairead McGuinness** (EPP, IE).

After each COSAC meeting, the AFCO Chair informed the members of the committee about the matters discussed and the conclusions reached.

All the documents concerning these meetings can be consulted at: www.cosac.eu.

12. Unfinished business



12.1. Right of inquiry

The European Parliament, and in particular the AFCD committee, has tried since 2012 with little success to date to reach an agreement with the Council and the Commission on aligning the legal framework on which the Parliament conducts its inquiries with the provisions of the Lisbon Treaty and in particular Article 226 TFEU (see supra 3.1).

In its resolution of 18 April 2019 on the negotiations with the Council and Commission on the legislative proposal for a regulation on the European Parliament's right of inquiry, Parliament suggested that work on this file proceed as follows:

- JURI should examine the feasibility of preparing an action before the Court of Justice of the European Union in connection with the principle of mutual sincere cooperation between institutions (Article 13(2) TEU);
- the legislative process arising from the right of legislative initiative conferred on Parliament by the Treaties must include, under the Interinstitutional Agreement on Better Law Making (IIA), a request for the establishment of a legislative calendar for the initiatives concerned, similarly to the ordinary legislative procedure;
- the Council and the Commission should resume negotiations with the newly elected Parliament, acknowledging the progress made with the new wording of the proposal presented in the non-paper;
- the political parties should ensure that their election programmes express their commitment to Parliament's proposal for a new and updated regulation on its right of inquiry, and the different *Spitzenkandidaten* are invited to offer their public and political support on this matter.

Parliament needs a new strategy for negotiations on this file for the upcoming parliamentary term in order to unblock the situation. One possibility could be to start with a new draft text, taking into account the concerns expressed by the Council.

12.2. Transparency register

The European Parliament has made consistent pleas for an enhanced Transparency register to be introduced to regulate the interaction between interest representatives and EU decision-makers. Despite its numerous calls to make the Transparency register mandatory through a legislative act instead of an IIA (cf. its resolutions of 11 May 2011, 15 April 2014, 28 April 2016 and 14 September 2017), no such proposal has yet appeared. Parliament has argued that, contrary to a legal act, an IIA only allows the institutions to organise their cooperation (under Article 295 TFEU), but does not allow them to impose obligations on third parties, the regime required to make the register truly mandatory. It has been concluded that the only suitable legal basis for an act regulating this issue would be Article 352 TFEU. Nevertheless, on 26 September 2016 the Commission presented a new proposal

for an inter-institutional agreement establishing a 'mandatory transparency register' to be concluded between the Commission, the Council and the European Parliament.

On 27 October 2016, the Conference of Presidents nominated Vice-President Sylvie Guillaume and the AFCO Chair Danuta Hübner to conduct negotiations on behalf of Parliament, with the assistance of a Contact Group. A Parliament mandate drafted by the lead negotiators with the support of the Contact Group was adopted by the Conference on 15 June 2017. COREPER approved Council's mandate on 6 December 2017. Both the Parliament and the Council mandates differed substantially from the original proposal, with both institutions requesting opinions from their legal services in 2017 which then informed their respective negotiators. Council's main legal objection was that EU law cannot formally subject Permanent Representations to a legal regime of this nature and any commitment on their side must be voluntary. Parliament's main legal constraint as identified by its legal service was that subjecting MEPs to a legal obligation to meet only registered interest representatives would amount to a disproportionate limitation of the constitutional right to the exercise of a free mandate (as defined in the Electoral Act and Parliament's Statute). There have been numerous technical meetings, but only three negotiations at political level (on 16 April 2018, 12 June 2018 and 13 February 2019).

During the negotiations, the Commission insisted that the only way to make the Transparency register genuinely mandatory was by applying the principle of 'no registration = no meeting' invariably to all institutions and to all decision-makers identified in its proposal for an IIA. Council, for its part, proposed an alternative: a voluntary regime subjecting the current and upcoming presidencies to the obligations under the Transparency register through a political declaration to be adopted together with the IIA on the Transparency register in the Council. This declaration would extend the voluntary obligation to the 23 Member States who had expressed their willingness to subscribe to the regime. Parliament's effort to bridge the positions aimed at making access by non-registered interest representatives to Parliament decision-makers impossible through sets of corollary measures (e.g. an obligation for interest representatives to register if they wish to attend any hearing, delegation or intergroup meetings, a ban on patronage of events, delivery of access badges etc.). In parallel and through a separate procedure, Parliament amended its Rules of Procedure with regard to transparency measures, imposing an obligation in particular on rapporteurs, shadow rapporteurs and committee chairs to publish online all scheduled meetings with interest representatives falling within the scope of the Transparency register (Rule 11). In September 2018 the Commission decided to suspend negotiations. The last political meeting took place on 13 February 2019. Both Parliament and Council pleaded strongly for the adoption of the IIA on the Transparency register under the 8th legislature, but this did not prove to be possible.

In this context, and following an exchange with Parliament's lead negotiators, the Conference of Presidents, at its meeting of 11 April 2019, underlined that inter-institutional agreements can only be binding upon institutions and only to the extent to which these institutions can commit themselves under the Treaties, and that a truly mandatory transparency regime that is intended to be binding on third parties cannot be achieved by means of an interinstitutional agreement.

Consequently, the Conference of Presidents endorsed the recommendations by the lead negotiators that the incoming Commission put forward a legislative proposal. Should this not prove to be possible, the negotiations on the IIA should resume during the upcoming legislative term, drawing on the work and mandate of the past two years.

12.3. Evaluation of the Article 50 TEU procedure

The implementation of Article 50 TEU has demonstrated that there is a certain degree of political leeway as regards the determination of important aspects of that provision. On the other hand, the provisions of Article 50 TEU and the Treaties as a whole impose substantial constitutional constraints on the withdrawal procedure and arrangements, which were strictly interpreted by the institutions during the process.

Article 50 TEU does not provide answers for all issues that emerged during its application, including the meaning of withdrawal arrangements, the level of detail of the framework on the future relationship and, on the procedural side, the form in which the notification of the intention to withdraw from the Union is given, the possibility of revoking the intention to withdraw, and the sequencing of negotiations.

These issues were solved as the UK withdrawal procedure evolved. The European Council in its successive guidelines, the Council in its directives for negotiation, the Parliament in its successive resolutions and the Court of Justice in its case law on Brexit have all built what can be considered as a doctrine and practice on withdrawal from the EU.

At the end of the parliamentary term, the UK's withdrawal procedure had not yet been concluded. The two consecutive extensions granted under Article 50(3) TEU raised issues of both a legal and political nature regarding the UK's participation in the European Parliament elections of 23-26 May 2019. These issues included the UK's obligation under EU law to participate in the elections if the country remained a Member during the election period and the new parliamentary term, and the impact that continued UK membership of the EU could have on the institutional functioning of the EU, and in particular of the European Parliament.

The internal organisation of the procedure in Parliament and the interinstitutional dynamics should also be assessed. As regards the first, the role that AFCO actually played in the process and its interaction with the Brexit Steering Group (BSG) both merit reflection. From an interinstitutional point of view, the different approaches regarding the European Parliament taken by the various institutions throughout the process could also be revisited and analysed.

Complex EU political, institutional, legal and constitutional matters are all involved here and need to be analysed and discussed with a view to securing a complete and deep understanding of the Article 50 TEU process and its impact on the structure and functioning of the EU as whole.

12.4. EU accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms

Article 6(2) TEU stipulates that ‘the Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). Such accession shall not affect the Union's competences as defined in the Treaties.’

A draft agreement between the representatives of the European Union and the Council of Europe was finalised on 5 April 2013.

Throughout the negotiations, an informal body for the coordination of information sharing between the European Parliament and the Parliamentary Assembly of the Council of Europe made it possible for the two assemblies to follow the process together.

However, the conclusion of the accession agreement requires the approval of Parliament, in accordance with point (a)(ii) of the second subparagraph of Article 218(6) TFEU, and of the Member States, in accordance with their respective constitutional rules.

However, before submitting this draft for signature and ratification, on 7 September 2013 the Commission submitted to the Court of Justice of the European Union a request for an opinion on the compatibility of the draft the Treaties.

The Court of Justice handed down its (binding) opinion on 18 December 2014, concluding that the agreement negotiated was incompatible with the Treaties and Protocol No 8 thereto.

On 26 February 2015, AFCO held a first joint meeting with the Committee on Civil Liberties, Justice and Home Affairs (LIBE) to discuss the substance of the Court's opinion and to consider how to proceed.

A second joint meeting with the LIBE Committee was held on 20 April 2016, at a time when neither the Commission nor the Council had yet taken any steps to re-launch the accession process, which would entail the adoption of a revised negotiating mandate reflecting the conclusions of the opinion. Legal experts and representatives of the Council, the Commission and the Council of Europe then considered ways of responding to the Court's objections.

The issue will still be on the agenda for the next parliamentary term, since no new developments have occurred since then.

12.5. Rules of procedure

During the revision of Parliament's Rules of Procedure, it was considered premature to engage in discussions on two topics relating to the internal budgetary procedures and application of the corresponding rules. These were left for consideration in future revisions.

12.6. Interinstitutional Agreement on budgetary discipline, on cooperation in budgetary matters and on sound financial management

This file is related to the package of MFF proposals for the 2021-2027 period and specifies how the institutions cooperate on the annual budgetary procedure and some of the special instruments proposed under the MFF regulation.

While AFCD is competent under Parliament's Rules of Procedure for the examination of interinstitutional agreements and as such is responsible for drawing up the report to Parliament that will propose approval or rejection of the draft agreement, BUDG has competence as regards the negotiation and implementation of IIAs in the field of Parliament's budgetary prerogatives and as such will also draw up a report on this IIA. In line with the procedure followed on previous occasions, notably in 2007 and 2013, both reports should be discussed and voted together in plenary and neither of the two committees should draft an opinion on the other committee's report.

As the 2021-2027 MFF negotiations were not completed during the 8th parliamentary term, both the MFF regulation and the IIA on budgetary discipline, on cooperation in budgetary matters and on sound financial management will be carried over to the new term.

Annex 1

- **Reports**

AFCO – Reports – 8th Legislature			
Procedure no. A8 = tabled text P8 = adopted text	Title	Rapporteur(s)	Number of AFCO amendments
2014/2248(INI) P8 TA(2017)0048	Possible evolutions of and adjustments to the current institutional set-up of the European Union	Guy VERHOFSTADT	1039
2014/2249(INI) P8 TA(2017)0049	Improving the functioning of the European Union building on the potential of the Lisbon Treaty	Elmar BROK + Mercedes BRESSO	888
2014/2257(INI) P8 TA(2015)0382	Implementation report on European Citizens initiative (ECI) regulation	György SCHÖPFLIN	127
2015/2035(INL) P8 TA(2015)0395	The reform of the Electoral Law of the European Union	Danuta Maria HÜBNER + Jo LEINEN	284
2015/2040(INI) P8 TA-(2015)0287	Procedures and practices regarding Commissioner Hearings, lessons to be taken from the 2014 process	Richard CORBETT	49
2015/2041(INI) P8 TA(2017)0358	Transparency, accountability and integrity in the EU institutions	Sven GIEGOLD	466
2015/2343(INI) P8 TA(2017)0092	Constitutional, legal and institutional implications of a common security and defence policy: possibilities offered by the Lisbon Treaty	Esteban GONZÁLEZ PONS (AFCO) + Michael GAHLER (AFET-SEDE)	458
2016/2005(ACI) P8 TA(2016)0081	Interinstitutional agreement on Better Law-making	Danuta Maria HÜBNER	97
2016/2008(INI) P8 TA(2017)0095	eDemocracy in the European Union: potential and challenges	Ramón JÁUREGUI ATONDO	233

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Procedure no. A8 = tabled text P8 = adopted text	Title	Rapporteur(s)	Number of AFCO amendments
2016/2018(INI) P8 TA(2018)0225	Interpretation and implementation of the Interinstitutional Agreement on Better Law-Making	Richard CORBETT (AFCO) + Pavel SVOBODA (JURI)	142
2016/2114(REG) P8 TA(2016)0484	General revision of Parliament's Rules of Procedure	Richard CORBETT	1283
2016/2149(INI) P8 TA(2018)0186	The implementation of the Treaty provisions concerning national Parliaments	Paulo RANGEL	119
2017/2037(INI) P8 TA(2018)0273	Role of cities in the institutional framework of the Union	Kazimierz Michał UJAZDOWSKI	123
2017/2054(INL) P8 TA(2018)0029	Composition of the European Parliament	Danuta Maria HÜBNER + Pedro SILVA PEREIRA	173
2017/2089(INI) P8 TA(2019)0079	The implementation of the Charter of Fundamental Rights of the European Union in the EU institutional framework	Barbara SPINELLI	100
2017/0219(COD) P8 TA(2018)0098	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No. 1141/2014 of the European Parliament and the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations	Rainer WIELAND + Mercedes BRESSO	66
2017/0220(COD) P8 TA(2019)0153	Proposal for a Regulation of the European Parliament and of the Council on the	György SCHÖPFLIN	194

AFCO – Reports – 8th Legislature			
Procedure no. A8 = tabled text P8 = adopted text	Title	Rapporteur(s)	Number of AFCO amendments
	European citizens' initiative		
2017/2233(ACI) P8 TA(2018)0030	Revision of the framework agreement on relations between the European Parliament and the Commission	Esteban GONZÁLEZ PONS	61
2017/0810(COD) P8 TA(2018)0288	Draft decision of the European Parliament and of the Council amending Article 22 of the Statute of the European System of Central Banks and of the European Central Bank	Danuta Maria HÜBNER (AFCO) + Gabriel MATO (ECON)	48
2018/0805(CNS) P8 TA(2018)0107)	Draft Council decision fixing the period for the ninth election of representatives to the European Parliament by direct universal suffrage	Danuta Maria HÜBNER	2
2017/0900(NLE) P8 TA(2018)0249	Draft European Council decision establishing the composition of the European Parliament	Danuta Maria HÜBNER + Pedro SILVA PEREIRA	0
2018/2080(INL) P8 TA(2019)0080	Draft regulation of the European Parliament laying down the regulations and general conditions governing the performance of the Ombudsman's duties (Statute of the European Ombudsman) and repealing Decision 94/262/ECSC, EC, Euratom	Paulo RANGEL	61
2018/2093(INI) P8 TA(2019)0044	Differentiated integration	Pascal DURAND	91
2018/2094(INI) P8 TA(2019)0098	The state of the debate on the Future of Europe	Ramón JÁUREGUI ATONDO	244

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Procedure no. A8 = tabled text P8 = adopted text	Title	Rapporteur(s)	Number of AFCO amendments
2018/2111(INI) P8_TA(2019)0076	Implementation of the Treaty provisions related to EU Citizenship	Maite PAGAZAURTUND ÚA RUIZ	117
2018/2112(INI) P8_TA(2019)0077	Implementation of the Treaty provisions concerning enhanced cooperation	Alain LAMASSOURE	55
2018/2113(INI) P8_TA(2019)0078	Implementation of the Treaty provisions on Parliament's power of political control over the Commission	Mercedes BRESSO	86
2018/2114(INI) P8_TA(2019)0134	Implementation of the legal provisions and the Joint Statement ensuring parliamentary scrutiny over decentralised agencies	György SCHÖPFLIN	32
2018/2096(INI) P8_TA(2019)0045	Ombudsman's strategic inquiry OI/2/2017 on the transparency of legislative discussions in the preparatory bodies of the Council of the EU	Jo LEINEN (AFCO) + Yana TOOM (PETI)	105
2015/0907(APP) P8_TA(2018)0282	Election of the members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976	Danuta Maria HÜBNER + Jo LEINEN	4
2018/2170(REG) P8_TA(2019)0046	Amendments to the Rules of Procedure affecting Chapters 1 and 4 of Title I; Chapter 3 of Title V; Chapters 4 and 5 of Title VII, Chapter 1 of Title VIII; Title XII; Title XIV and Annex II	Richard CORBETT	46
2018/0336(COD) P8_TA(2019)0155	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU,	Rainer WIELAND + Mercedes BRESSO	15

AFCO – Reports – 8th Legislature			
Procedure no. A8 = tabled text P8 = adopted text	Title	Rapporteur(s)	Number of AFCO amendments
	Euratom) No 1141/2014 as regards a verification procedure related to infringements of rules on the Protection of personal data in the context of elections to the European Parliament		
2018/0811(CNS) P8 TA(2019)0009	Proposal for a Council decision amending the Statute of the European Investment Bank	Danuta Maria HÜBNER	0
2019/0804(CNS) P8 TA(2019)0414	Proposal for Amendment of the EIB's Statute - Request to launch the Article 308 procedure	Danuta Maria HÜBNER	0

PENDING – AFCO – Reports – 8th Legislature			
INL	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)	Ramón JÁUREGUI ATONDO	<p>Oral Questions:</p> <ul style="list-style-type: none"> - B8-0613/2017 (to the Council) - B8-0614/2017 (to the Commission) <p>Debate in Plenary on 13 December 2017:</p> <p>PV PLENARY_P8_PV-PROV(2017)12-13_EN</p> <ul style="list-style-type: none"> • 22 01 2019: adoption of draft Questions to Council and Commission for oral answer with debate (Rule 128) (by 14 +; 1-; 1abstention, NO RCV) on Negotiations with Council and Commission on European Parliament's right of inquiry legislative proposal - AFCO/8/15393 2019/2536 (RSP) <p>Commission:</p> <p>B8-0000/2019 O-000004/19 (COMM)</p> <p>Council</p> <p>B8-0000/2019 O-000003/19 (CONS)</p> <ul style="list-style-type: none"> • 29.1.2019 Motion for a Resolution (to wind-up the debate in Plenary) on Negotiations with the Council and Commission on Parliament's right of inquiry legislative proposal was adopted in AFCO on 29 January 2019 with RCV

PENDING – AFCO – Reports – 8th Legislature			
			(requested by S&D): 19 votes in favour, 1 against, 1 abstention
2018/0427 (NLE)	Proposal for a COUNCIL DECISION on the conclusion of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community	Guy VERHOFSTADT	Awaiting committee decision
2016/2246 (ACI)	Inter-institutional Agreement establishing a mandatory transparency register covering Parliament, Council and Commission	Transparency Register contact group: Rainer WIELAND (EPP) Jo LEINEN (S&D) Pirkko RUOHONEN-LERNER (ECR) Maite PAGAZAURTUNDÚA RUIZ (ALDE) Denis DE JONG (GUE/NGL) Sven GIEGOLD (GREENS/EFA) Isabella ADINOLFI (EFDD) Edouard FERRAND (ENF)	
2018/2070 (ACI)	Proposal for a Interinstitutional Agreement between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management	Charles GOERENS	

Annex 2

- Interpretations

AFCO – Interpretations – 8th Legislature		
Procedure number	Title	Rapporteur
2015/2047(REG) P8_TA(2015)0096	Interpretation of paragraph 1 (a) of Annex XVI to the Rules of Procedure (Guidelines for the approval of the Commission)	

AFCO – Interpretations – 8th Legislature		
Procedure number	Title	Rapporteur
2015/2152(REG) P8 TA(2015)0295	Interpretation of Rule 130, paragraph 3, of the Rules of Procedure (Questions for written answer)	
2015/2153(REG) P8 TA(2015)0296	Interpretation of Rule 191 of the Rules of Procedure (Suspension or closure of the sitting)	
2016/2218(REG) P8 TA(2016)0362	Interpretation of Rule 61(2) of the Rules of Procedure (Adoption of amendments to a Commission proposal)	
2017/2095(REG) P8 TA(2017)0293	Interpretation of Rules 5 and 210a of the Rules of Procedure	Rainer Wieland + Richard Corbett
2019/2011(REG) P8 TA-PROV(2019)0164	Interpretation of Rule 171 (1) (b) of the Rules of Procedure (Voting procedure)	Richard Corbett
2019/2019(REG) P8 TA-PROV(2019)0393	Interpretation of Rule 32(5), first subparagraph, second indent of the Rules of Procedure (Establishment and dissolution of political groups)	Richard Corbett
2019/2020(REG) P8 TA-PROV(2019)0392	Interpretation of Rule 149a(2) of the Rules of Procedure (Adopting and amending the agenda)	Richard Corbett

Annex 3

- **Oral questions and motion for resolution**

AFCO – Oral questions and motion for resolution – 8th Legislature		
Procedure number	Title	Rapporteur
2017/2550(RSP) To the Commission: O-000007/2017/rev.1 B8-0205/2017	Review of the regulation on the statute and funding of European political parties and foundations	Danuta Maria Hübner (on behalf of the Committee on Constitutional Affairs)
2017/2993(RSP) To the Commission: O-000090/2017 B8-0614/2017 To the Council:	The European Parliament's right of inquiry	Danuta Maria Hübner (on behalf of the Committee on Constitutional Affairs)

AFCO – Oral questions and motion for resolution – 8th Legislature		
Procedure number	Title	Rapporteur
O-000089/2017 B8-0613/2017		
2017/3019(RSP) To the Council: O-000099/2017 B8-0002/2018	Reform of the electoral law of the European Union	Danuta Maria Hübner (on behalf of the Committee on Constitutional Affairs)
2019/2536(RSP) To the Commission: O-000004/2019 B8-0020/2019 To the Council: O-000003/2019 B8-0019/2019 Motion for a Resolution: B8-0238/2019	on Negotiations with the Council and Commission on Parliament's right of inquiry legislative proposal on the negotiations with the Council and Commission on the legislative proposal for a regulation on the European Parliament's right of inquiry	Danuta Maria Hübner (on behalf of the Committee on Constitutional Affairs)

Annex 4

- **Delegated and implementing acts**

Procedure number	Title
2015/2647 (DEA)	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
2015/2889(DEA)	Commission Delegated Regulation on the content and functioning of the register of European political parties and foundations
2018/2800(DEA)	Commission Delegated Regulation amending Annex III of Regulation (EU) No 211/2011 of the European Parliament and of the Council on the citizens' initiative
2019/2619(DEA)	Commission Delegated Regulation replacing Annex I and amending Annexes II and VII to Regulation (EU) No 211/2011 of the European Parliament and of the Council on the citizens' initiative

Annex 5

- **Opinions**

AFCO – Opinions – 8th Legislature			
Procedure number	Title	Rapporteur	NumberA FCO amendm ents
2014/2040(BUD) P8_TA(2014)0036	General budget of the European Union for the financial year 2015 - all sections	Danuta Maria HÜBNER	10
2014/2145(INI) P8_TA(2015)0238	The review of the economic governance framework: stocktaking and challenges	Sylvie GOULARD	42
2014/2252(INI) P8_TA(2016)0103	Annual reports 2012-2013 on subsidiarity and proportionality	Kazimierz Michał UJAZDOWSKI	34
2014/2253(INI) P8_TA(2015)0322	30th and 31st annual reports on monitoring the application of EU Law (2012-2013)	Fabio Massimo CASTALDO	32
2014/2254(INI) P8_TA(2015)0286	The situation of fundamental rights in the European Union (2013-2014)	Ramón JÁUREGUI ATONDO	57
2014/2228(INI) P8_TA(2015)0252	Recommendations to the European Commission on the negotiations for the Transatlantic Trade and Investment Partnership (TTIP)	Esteban GONZÁLEZ PONS	53
2015/0009(COD) P8_TA(2015)0236	European Fund for Strategic Investments	Danuta Maria HÜBNER	213
2015/2060(INI) P8_TA(2016)0108	The EU role in the framework of international financial, monetary and regulatory institutions and bodies	Paulo RANGEL	52
2015/2074(BUD) P8_TA(2015)0263	2016 Budget - Mandate for the Trilogue	Danuta Maria HÜBNER	NA
2015/2104(INI) P8_TA(2015)0403	The role of the EU within the UN - how to better achieve EU foreign policy goals	David McALLISTER	41
2015/2132(BUD) P8_TA(2015)0376	General budget of the European Union for the financial year 2016 - all sections	Danuta Maria HÜBNER	
2015/2128(INI) P8_TA(2016)0071	Annual Report 2014 on the Protection of the EU's Financial	Mercedes BRESSO	28

AFCO – Opinions – 8th Legislature			
Procedure number	Title	Rapporteur	NumberA FCO amendm ents
	Interests - Fight against fraud		
2015/2156(DEC) P8_TA(2016)0418	Discharge 2014: EU general budget - Council and European Council	Pascal DURAND	27
2015/2254(INL) P8_TA(2016)0409	Establishment of an EU mechanism on democracy, the rule of law and fundamental rights	György SCHÖPFLIN	81
2015/2283(INI) P8_TA(2017)0210	Annual report 2014 on subsidiarity and proportionality	Kazimierz Michał UJAZDOWSKI	66
2015/0906(COD) P8_TA(2016)0278	Transfer to the General Court of the EU of jurisdiction at first instance in disputes between the Union and its servants	Danuta Maria HÜBNER	
2015/0270(COD)	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 806/2014 in order to establish a European Deposit Insurance Scheme	Danuta Maria HÜBNER	36
2015/2344(INI) P8_TA(2017)0050	Budgetary capacity for the euro area	Paulo RANGEL	86
2015/2353(INI) P8_TA(2016)0309	Preparation of the post-electoral revision of the MFF 2014-2020: Parliament's input ahead of the Commission's proposal	Pedro SILVA PEREIRA	29
2016/2009(INI) P8_TA(2016)0485	The situation of fundamental rights in the European Union in 2015	Cristian DAN PREDA	50
2016/2047(BUD)p 8_TA(2016)0475	General budget of the European Union for the financial year 2017 - all sections	György SCHÖPFLIN	4
2015/2326(INI) P8_TA(2016)0385	Monitoring the application of Union law: 2014 Annual Report	Gerolf ANNEMANS	NA
2016/2052(INI) P8_TA(2016)0435	European Defence Union	David McALLISTER	66
2016/2055(INI) P8_TA(2017)0022	The role of whistle-blowers in the protection of the EU's financial interests	Morten MESSERSCHMIDT	40
2015/2329(INI) P8_TA(2017)0063	Implementation report on Europe for Citizens	Kazimierz Michał UJAZDOWSKI	28

AFCO – Opinions – 8th Legislature			
Procedure number	Title	Rapporteur	NumberA FCO amendm ents
2016/2224(INI) P8_TA(2017)0402	Legitimate measures to protect whistle-blowers acting in the public interest when disclosing the confidential information of companies and public bodies	Fabio MASSIMO CASTALDO	74
2016/0823(CNS) P8_TA(2017)0023	List of third States and organisations with which Europol shall conclude agreements	Danuta Maria HÜBNER	NA
2017/2010(INI) P8_TA(2018)0120	Annual Reports 2015-2016 on subsidiarity and proportionality	Cristian DAN PREDA	41
2017/2011(INI) P8_TA(2017)0421	Monitoring the application of EU law 2015	Kazimierz Michał UJAZDOWSKI	59
2017/0035(COD)	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 182/2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers	Pascal DURAND	43
2017/2043(BUD) P8_TA(2017)0302	2018 Budget - Mandate for the Trilogue	Danuta Maria HÜBNER	NA
2017/2044(BUD) P8_TA(2017)0458	General budget of the European Union for the financial year 2018 - all sections	Danuta Maria HÜBNER	5
2017/2052(INI) P8_TA(2018)0075	The next MFF: preparing the Parliament's position on the MFF post-2020	Gerolf ANNEMANS	31
2017/2053(INI) P8_TA(2018)0076	Reform of the European Union's system of own resources	Mercedes BRESSO	30
2017/2069(INI) P8_TA(2017)0487	EU Citizenship Report 2017: Strengthening Citizens' Rights in a Union of Democratic Change	Cristian DAN PREDA	42
2017/2131(INL) P8_TA-PROV(2018)0340	The situation in Hungary (pursuant to the European Parliament resolution of 17 May 2017)	Maite PAGAZAURTUND ÚA RUIZ	32
2017/0232(COD) P8_TA-PROV(2019)0375	Proposal for a regulation of the European Parliament and of the Council amending Regulation (EU)	Danuta Maria HÜBNER	45


AFCO – Opinions – 8th Legislature			
Procedure number	Title	Rapporteur	NumberA FCO amendm ents
	No 1092/2010 on European Union macro-prudential oversight of the financial system and establishing a European Systemic Risk Board		
2017/0326(COD) P8_TA-PROV(2018)0426	Regulation of the European Parliament and of the Council amending Regulation (EU) No 1093/2010 as regards the location of the seat of the European Banking Authority	Fabio MASSIMO CASTALDO	5
2017/0328(COD) P8_TA-PROV(2018)0427	Regulation of the European Parliament and of the Council amending Regulation (EC) No 726/2004 as regards the location of the seat of the European Medicines Agency	Mercedes BRESSO	8
2017/2273(INI) P8_TA(2018)0268	Monitoring the application of EU law 2016	Kazimierz Michał UJAZDOWSKI	39
2017/0335(CNS)	Proposal for a Council Directive laying down provisions for strengthening fiscal responsibility and the medium-term budgetary orientation in the Member States	György SCHÖPFLIN <small>(became rapporteur for the opinion on 21 November 2018 since Claudia Tapardel resigned as a result of the vote)</small>	12
2018/2024(BUD) P8_TA-PROV(2018)0311	2019 Budget – Mandate for the Trilogue	Danuta Maria HÜBNER	NA
2018/2046(BUD) P8_TA-PROV(2018)0404	General budget of the European Union for the financial year 2019 - all sections	Danuta Maria HÜBNER	4
2018/0900(COD) P8_TA-PROV(2019)0179	Proposed amendments to Protocol No 3 on the Statute of the Court of Justice of the European Union	Morten MESSERSCHMIDT	13
2018/0106(COD) P8_TA-PROV(2019)0366	Proposal for a Directive of the European Parliament and of the Council on the protection of persons reporting on breaches of Union law	Ramón JÁUREGUI ATONDO	250
2018/0136(COD) P8_TA-PROV(2019)0349	Proposal for a Regulation of the European Parliament and of the Council on the protection of the Union's budget in case of	Helmut SCHOLZ	121

AFCO – Opinions – 8th Legislature			
Procedure number	Title	Rapporteur	NumberA FCO amendm ents
	generalised deficiencies as regards the rule of law in the Member States		
2018/2099(INI) P8_TA-PROV(2018)0514	Annual report on the implementation of the Common Security and Defence Policy	Paulo RANGEL	35
2018/0207(COD) P8_TA-PROV(2019)0000	Proposal for a Regulation of the European Parliament and of the Council establishing the Rights and Values programme	Josep Maria TERRICABRAS	108
2018/0166R(APP) P8_TA-PROV(2018)0449	Interim report on the Multiannual Financial Framework 2021-2027 – Parliament's position in view of an agreement	Fabio MASSIMO CASTALDO	44
2017/0333R(APP) P8_TA-PROV(2019)0218	Establishment of the European Monetary Fund	Danuta Maria HÜBNER	27
2019-2010(BUD)	2020 Budget Mandate for the Trilogue	Alain LAMASSOURE	NA

PENDING – AFCO – Opinions – 8th Legislature		
2011/0073(COD)	Amendment to Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents	Helmut SCHOLZ
2017/0333(APP)	Proposal for a Council Regulation on the Establishment of the European Monetary Fund	Danuta Maria HÜBNER
2017/0360(NLE)	Proposal for a Council decision on the determination of a clear risk of a serious breach by the Republic of Poland of the rule of law	Maite PAGAZAURTUNDÚA RUIZ
2018/0135(CNS)	Proposal for a Council Decision on the system of Own Resources of the European Union	Jasenka SELIMOVIC
2018/0166(APP)	Proposal for a Council regulation laying down the multiannual financial framework for the years 2021 to 2027	Fabio MASSIMO CASTALDO
	BUDGET 2020	Alain LAMASSOURE

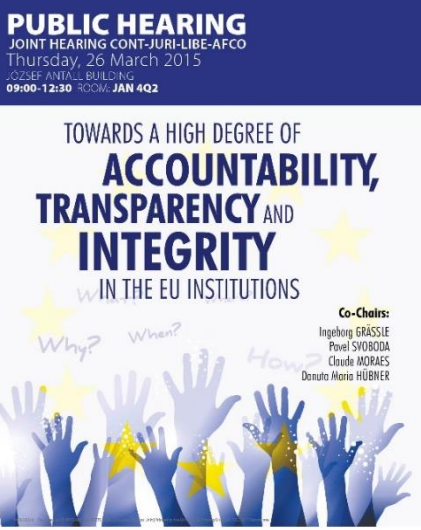
Annex 6

- Hearings and workshops

AFCO – Hearings and Workshops – 8th Legislature		
Title and poster	Date	Experts
<p><u>Hearing Commissioner-designate</u></p> <p>Frans TIMMERMANS, First Vice-President of the European Commission, in charge of Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights</p>	07/10/2014	<p><i>(The CoP decided that the First Vice-President designate Frans Timmermans (foreseen to be auditioned jointly by AFCO, LIBE and JURI), would be auditioned in a hearing under the format of CoP open to all Members. The reason advanced for this decision is the horizontal nature of the functions of the Vice-President)</i></p>
<p><u>Workshop</u> (Policy Department):</p> <p>Challenges in Constitutional Affairs in the new term: taking stock and looking forward</p> 	06/11/2014	<ul style="list-style-type: none"> • Yves Bertoncini • Uwe Puetter • Olivier Costa • Wolfgang Wessel • Monica Claes • Steve Peers • Carlos Closa Montero • Luciano Bardi • Enrico Calossi • Marta Ballesteros • David Coen
<p><u>Hearing</u></p> <p>The reform of the European Electoral Law</p>	04/12/2014	<ul style="list-style-type: none"> • Andrew Duff, both former MEP and AFCO Rapporteur on the modification of the Act concerning the election of the members of the European Parliament by direct universal suffrage of 20 September 1976 • Friedrich Pukelsheim, former Professor (professor emeritus) of the Institute for Mathematics at the

AFCO – Hearings and Workshops – 8th Legislature		
Title and poster	Date	Experts
 <p>PUBLIC HEARING COMMITTEE ON CONSTITUTIONAL AFFAIRS THURSDAY 04.12.2014 ALTIERO SPINELLI BUILDING - BRUSSELS 09.00-12.00 ROOM: 1G3</p> <p>The reform of the European electoral law</p> <p>Chaired by Danuta HÜBNER</p> <p><small>If you do not have a pass that allows entry to the Parliament, you will need to provide your personal details (Name/Date of birth/Company/Nationality/ID Number) upon confirmation of your participation by 28th November 2014 to afco-secretariat@europarl.europa.eu</small></p>		<p>University of Augsburg</p> <ul style="list-style-type: none"> ● Brendan O’Leary, Lauder Professor of Political Science at the University of Pennsylvania ● Roberto d’Alimonte, full Professor of Political Science at the Department of Political Science at the University of Florence ● Yves Bertoncini, Director of the Notre Europe Institute Jacques Delors in Paris
<p><u>Hearing AFCO</u></p> <p>European Youth Hearing (EYE)</p>	20/03/2015	<p>The European Youth Event (EYE) was created by the European Parliament in 2013, as a new forum for discussing with young people.</p> <p><u>Idea Givers:</u></p> <ul style="list-style-type: none"> ● Madeeha Mehmood ● Loredana Urzica ● Michael Mayer
<p><u>Hearing (AFCO, with PETI associated)</u></p> <p>Lessons to be drawn from the implementation of the European Citizens’ Initiative (ECI) regulation</p>	26/02/2015	<ul style="list-style-type: none"> ● Carsten Berg, General Coordinator of “The ECI Campaign” ● Philippe Poirier holder of the Chair in parliamentary studies at the University of Luxembourg ● Jean-Luc Sauron, associate professor of International law at the Paris-Dauphine University <p><u>Other speakers:</u></p> <ul style="list-style-type: none"> ● Frans TIMMERMANS, First Vice-President of the European Commission ● Pablo Sánchez Centellas, Spokesperson for the organizers of the successful ECI on the Right to Water ● Prisca Merz, Director of the ECI End Ecocide in Europe ● Ernst Johansson, lawyer representing the rejected ECI - the Minority SafePack case



AFCO – Hearings and Workshops – 8th Legislature

Title and poster	Date	Experts
 <p>PUBLIC HEARING COMMITTEE ON CONSTITUTIONAL AFFAIRS IN ASSOCIATION WITH THE COMMITTEE ON PETITIONS THURSDAY 26.02.2015 9.00-12.30 ROOM ASP 362</p> <p>THE EUROPEAN CITIZENS' INITIATIVE CHAIRIED BY DANUTA HÜBNER AND CECILIA WIKSTRÖM</p> <p>For registration and additional information, please contact the AFCO Secretariat (afco-secretariat@parliament.europa.eu) or the AFCO Secretariat (afco-secretariat@parliament.europa.eu)</p>		<ul style="list-style-type: none"> ● Ian Harden, Secretary-General, European Ombudsman ● Anne-Marie Sigmund, CESE ● Tamás Molnár, adjunct professor, Corvinus University of Budapest, Institute of International Studies ● Francisco Polo, International petitioning platform Change.org ● Susana del Río Villar, author and director of the EU project: Upgrading Europe ● Diana Wallis, former PETI rapporteur on the ECI Regulation ● Carlo Casini, former AFCO Chair ● György Schöpflin, EP rapporteur on the implementation of Regulation 211/2011 ● Beatriz Becerra, PETI rapporteur on the implementation of Regulation 211/2011
<p><u>Joint-Hearing AFCO, CONT, LIBE, JURI</u></p> <p>Towards a high degree of accountability, transparency and integrity in the EU institutions</p>  <p>PUBLIC HEARING JOINT HEARING CONT-JURI-LIBE-AFCO Thursday, 26 March 2015 JOSEF ANL Building 09:00-12:30 ROOM JAN 402</p> <p>TOWARDS A HIGH DEGREE OF ACCOUNTABILITY, TRANSPARENCY AND INTEGRITY IN THE EU INSTITUTIONS</p> <p>Co-Chairs: Ingeborg GRÄSSLE Pavel SVOBODA Claude MORAES Danuta Maria HÜBNER</p> <p>Why? When? How?</p>	<p>26/03/2015</p>	<ul style="list-style-type: none"> ● Raj Chari

AFCO – Hearings and Workshops – 8th Legislature


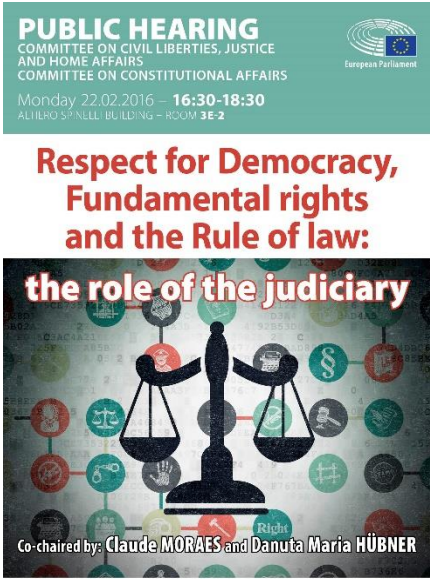
Title and poster	Date	Experts
<p><u>Joint-Hearing AFCO, ECON</u></p> <p>Institutional aspects of the new rules on economic governance and the role of the Eurogroup</p> 	<p>05/05/2015</p>	<p><u>Experts AFCO:</u></p> <ul style="list-style-type: none"> ● Paul Craig, University of Oxford ● Daniela Schwarzer, Senior Director of Research and Director of the Europe Programme, German Marshall Fund ● Mario La Torre, Professor of Economics of Financial Intermediaries, La Sapienza University <p><u>Experts ECON:</u></p> <ul style="list-style-type: none"> ● Daniel Gros, Director of Economic Policy Studies CEPS ● René Repasi, Scientific coordinator of the European Research Centre for Economic and Financial Governance of Universiteit Leiden ● Xavier Ragot, Director of Observatoire Français des Conjonctures Économique (OFCE)
<p><u>Hearing (AFCO)</u></p> <p>The institutional future of the European Union within and beyond the Treaty of Lisbon</p> 	<p>26/05/2015</p>	<ul style="list-style-type: none"> ● René Repasi, European Research Centre for Economic and Financial Governance ● Marise Cremona, European University Institute ● Sergio Carrera, Centre for European Policy Studies ● Antonio Padoa Schioppa, Università degli Studi di Milano ● Christian Calliess, Freie Universität Berlin ● Andrew Duff, former Member of the European Parliament ● Markku Markkula (President of the Committee of the Regions) ● Luca Jahier (President of Group III “Various Interests” of the European Economic and Social Committee)

AFCO – Hearings and Workshops – 8th Legislature


Title and poster	Date	Experts
<p><u>Workshop AFCO (Policy Department)</u></p> <p>The best practices in legislative and regulatory processes in a constitutional perspective</p>  <p>WORKSHOP POLICY DEPARTMENT C - CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS COMMITTEE ON CONSTITUTIONAL AFFAIRS Wednesday 17.06.2015 – 10:00-12:30 ALTERO SPINELLI BUILDING, BRUSSELS – ROOM A10-3</p> <p>BEST PRACTICES IN LEGISLATIVE AND REGULATORY PROCESSES: A CONSTITUTIONAL PERSPECTIVE</p> <p>Chaired by Danuta Hübner</p>	<p>17/06/2015</p>	<ul style="list-style-type: none"> ● Andrea Renda, Center for European Policy Studies ● Arnout Mijs, Clingendael ● Rachel Shub, Office of the United States Trade Representative ● Malgorzata Kaluzynska, Ministry of Foreign Affairs of Poland, EU Economic Department
<p><u>Workshop AFCO (Policy Department)</u></p> <p>Transparency, accountability and integrity in the EU institutions</p>  <p>WORKSHOP POLICY DEPARTMENT C CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS</p> <p>TRANSPARENCY, ACCOUNTABILITY AND INTEGRITY OF THE EU INSTITUTIONS</p> <p>DATE: 22 September 2015 TIME: 10:15-12:00 ROOM: ALTERO SPINELLI BUILDING 5G3</p> <p>Committee on Constitutional Affairs CHAIR: Danuta HÜBNER RAPPORTEUR: Sven GIEGOLD</p>	<p>22/09/2015</p>	<p>(Study Policy Department on Declarations of Financial interests and their Scrutiny in the National Legislatures)</p> <ul style="list-style-type: none"> ● Janos Bertok, Head of the Public Sector Integrity Division, Public Governance Directorate of the OECD ● David Coen, Director of the School of Public Policy at the University College London and author of the study on “Institutional and Constitutional aspects of special interest representation” ● Roland Blomeyer, Blomeyer & Sanz, author of the study “Declarations of financial interests and their scrutiny in the national legislatures”

AFCO – Hearings and Workshops – 8th Legislature

Title and poster	Date	Experts
<p><u>Joint-Hearing AFCO-AFET</u></p> <p>The Common Foreign and Security Policy under the Treaty of Lisbon: unlocking its full potential</p> 	<p>13/10/2015 (AFET slot)</p>	<p><u>Experts AFCO:</u></p> <ul style="list-style-type: none"> ● Panos Koutrakos ● Stefano Silvestri <p><u>Experts AFET</u></p> <ul style="list-style-type: none"> ● Nicolai von Ondarza ● Olivier de France
<p><u>Hearing (JURI, with AFCO associated)</u></p> <p>The Interinstitutional Agreement on Better Regulation</p> 	<p>13/10/2015 (JURI slot)</p>	<p><u>Expert JURI:</u></p> <ul style="list-style-type: none"> ● William Robinson, Associate Fellow at Institute of Advanced Legal Studies, University of London, UK <p><u>Other speakers:</u></p> <ul style="list-style-type: none"> ● Angelika Niebler, MEP ● József Szájer, MEP ● Sylvia-Yvonne Kaufmann, MEP ● Sajjad Karim, MEP ● Kostas Chrysogonos, MEP ● Heidi Hautala, MEP

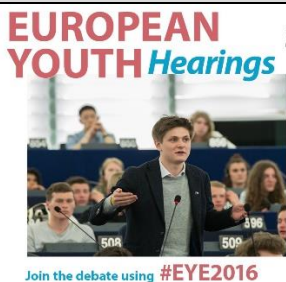
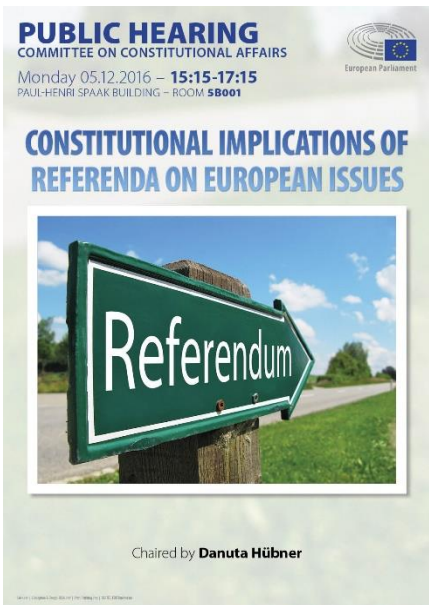
AFCO – Hearings and Workshops – 8th Legislature		
Title and poster	Date	Experts
<p><u>Hearing</u></p> <p>Parliamentary scrutiny over the executive in the European Union</p> <p>Interparliamentary Committee Meeting European Parliament - National Parliaments</p>  <p>THURSDAY, 19 NOVEMBER 2015 10:30-12:30 ROOM 03C050 PAUL HENRI SPAAK BUILDING EUROPEAN PARLIAMENT BRUSSELS</p> <p>COMMITTEE ON CONSTITUTIONAL AFFAIRS CHAIR: D. BY DANUTA HÜBNER RAPPORTEUR: MICHEL DE MEUR ELMAR BROCK GUY VERLOOTSTADT</p> <p>From 15:00 to 17:30: HEARING ON THE PARLIAMENTARY SCRUTINY OVER THE EXECUTIVE IN THE EU With the support of the Directorate for Relations with National Parliaments</p> <p>European Parliament</p>	19/11/2015	<ul style="list-style-type: none"> ● Christine Neuhold, Special Chair EU Democratic Governance, Department of Political Science, Faculty of Arts and Social Sciences, Maastricht University ● Olivier Rozenberg, Associated Professor in Political Sciences, Centre d'études européennes de Sciences Po, Paris ● Philippe Poirier, Holder of the Chair of Parliamentary Studies Research in the Chamber of Deputies of Luxembourg, Head of the collection on parliamentary studies - Editions Larcier, Associate Professor of Political Sciences at the College of Bernardins & at the University of Paris Sorbonne (Celsa)
<p><u>Joint-Hearing LIBE-AFCO</u></p> <p>Respect for Democracy, Fundamental rights and the Rule of law: the role of the judiciary</p>  <p>PUBLIC HEARING COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS COMMITTEE ON CONSTITUTIONAL AFFAIRS</p> <p>Monday 22.02.2016 – 16:30-18:30 ALFREDO SPINELLI BUILDING – ROOM 3E-2</p> <p>Respect for Democracy, Fundamental rights and the Rule of law: the role of the judiciary</p> <p>Co-chaired by: Claude MORAES and Danuta Maria HÜBNER</p>	22/02/2016	<p>(in the framework of enhanced cooperation (Rule 53 +)) AFCO opinion to LIBE on the Establishment of an EU mechanism on democracy, the rule of law and fundamental rights (2015/2254(INL)) (rapporteur György Schöpflin)</p> <p><u>AFCO expert:</u></p> <ul style="list-style-type: none"> ● Miklos Szantho, managing director and head analyst of Centre of Fundamental Rights (Alapjogokért Központ) <p><u>Other speakers:</u></p> <ul style="list-style-type: none"> ● Michal Bobek, Advocate General, Court of Justice of the European Union ● Angelika Nussberger, Judge, European Court of Human Rights ● Jean De Coadt, First President, Court of Cassation (Belgium) and Member of the Network of the Presidents of the Supreme Judicial Courts of the EU ● Dariusz Zawistowski, National Council of the Judiciary of Poland, Member of the European Network of Councils for the Judiciary

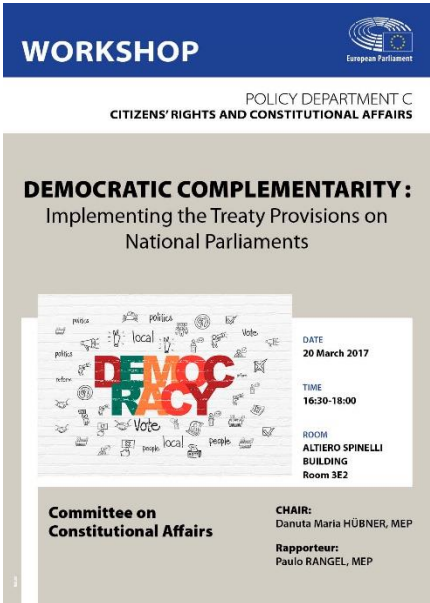
AFCO – Hearings and Workshops – 8th Legislature		
Title and poster	Date	Experts
<p><u>Hearing AFCO</u></p> <p>e-Democracy in the European Union: potential and challenges</p> 	14/03/2016	<p>(this hearing is an element for the preparation of the report: eDemocracy in the European Union: potential and challenges (2016/2008(INI)) of Ramón Jáuregui Atondo)</p> <ul style="list-style-type: none"> ● Roberto Viola, Director-General, DG CONNECT, European Commission ● Rafał Trzaskowski, former Polish Minister for the Administration and Digitalization and former MEP ● Elena García Gutián, Professor of Political Sciences and Administration at the Autonomous University of Madrid ● Alexander Trechsel, Professor of Political Science and Head of the Department of Political and Social Sciences of the European University Institute ● Elisa Lironi, ECAS Digital Democracy Coordinator ● Josephine Shaw, Milieu Limited's Senior Expert
<p><u>Joint-Hearing JURI, LIBE, AFCO, PETI</u></p> <p>Union citizenship in practice: our common values, rights and democratic participation</p>	15/03/2016	<p>Hearing jointly organized by the European Commission (DG Justice and Consumers) and the European Parliament (LIBE, PETI, AFCO and JURI Committees)</p> <ul style="list-style-type: none"> ● Paul Nemitz, Director of Directorate for Fundamental rights and Union citizenship, DG Justice and Consumers, EC ● Andrew Duff, Visiting Fellow, European Policy Centre ● Yves Bertoncini, Director of the Jacques Delors Institute ● Carmen Preising, Head of Unit, Work Programme and Stakeholder Consultation, Secretariat-General, EC ● Ida Birkvad Sørensen, Member of the Board, European Youth Forum

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Title and poster	Date	Experts
<p><u>Hearing AFCO</u></p> <p>Accession to the European Convention on Human Rights (ECHR): stocktaking after the ECJ's opinion and way forward</p> 	20/04/2016	<ul style="list-style-type: none"> ● Sonia MORANO-FOADI, Reader in Law (Associate Professor) and Director of the Centre for Legal Research and Policy Study at the Law School, Oxford Brookes University ● Stelios ANDREADAKIS, Lecturer in Law from the University of Leicester <p><u>Other speakers:</u></p> <ul style="list-style-type: none"> ● Martijn DE GRAVE, Head of Legal and Institutional Affairs, Coordinator for Justice and Home Affairs (Dutch Permanent representation, Council Presidency) ● Johannes KRÄMER, Legal Adviser at the Legal Service of the European Commission ● Jörg POLAKIEWICZ, Director at the Legal Advice and Public International Law Directorate of the Council of Europe ● Jean-Paul JACQUÉ, Honorary Director General of the Legal Service of the Council of the European Union ● Ricardo PASSOS, Director for Institutional and Parliamentary Affairs of the Legal Service of the European Parliament
<p><u>Hearing AFCO, with AFET associated</u></p> <p>The role of the EU in international organisations including the United Nations</p>	15/06/2016	<p><u>AFCO experts:</u></p> <ul style="list-style-type: none"> ● Jan Wouters, Full Professor of International Law and International Organizations, and Director at the Leuven Centre for Global Governance Studies - Institute for International Law, KU Leuven (Belgium) ● Mateusz Irmiński, Attorney-at-law at the “Sołtysiński Kawecki & Szlęzak” law firm in Warsaw (Poland) <p><u>AFET expert:</u></p> <ul style="list-style-type: none"> ● Jonas Jonsson, Head of Division,

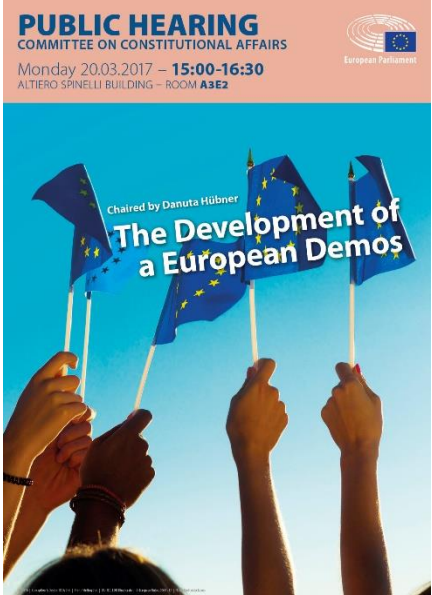

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Title and poster	Date	Experts
 <p>PUBLIC HEARING COMMITTEE ON CONSTITUTIONAL AFFAIRS (IN ASSOCIATION WITH THE COMMITTEE ON FOREIGN AFFAIRS)</p> <p>Wednesday 15.06.2016 – 09:15-10:45 ALTIERO SPINELLI BUILDING – ROOM 1G-3</p> <p>Role of the European Union in International Organisations including the United Nations</p> <p>Chaired by Danuta HÜBNER / Elmar BROK</p>		<p>Multilateral Relations at the European External Action Service (EEAS)</p>
<p><u>Workshop</u> (Policy Department)</p> <p>After the UK Referendum: Future Constitutional Relationship of the United Kingdom with the European Union</p>	<p>05/09/2016</p>	<ul style="list-style-type: none"> ● Francisco Aldecoa Luzárraga, Fundacion Alternativas / Universidad Complutense de Madrid ● Mercedes Guinea Lorenete, Fundacion Alternativas / Universidad Complutense de Madrid ● René Repasi, EURO-CEFG, University of Rotterdam ● Steve Peers, Professor, University of Essex
<p><u>Mini-Hearing AFCO</u></p> <p>The constitutional relationship of the United Kingdom with the European Union: the consequences of the results of the referendum of 23 June 2016</p>	<p>29/09/2016</p>	<ul style="list-style-type: none"> ● Guntram Wolff (Director of Bruegel) ● Giorgio Maganza (former Director for Institutional Affairs at the Council of the EU) ● Yves Bertoncini (Director of Institute Jacques Delors - Notre Europe)
<p><u>Hearing AFCO</u></p> <p>European Youth Hearing (EYE)</p>	<p>08/11/2016</p>	<p>The EYE speed hearings - in line with the Bureau note of last 23 May - are meant to be a political follow-up to the EYE that was held in Strasbourg last May, which gathered over 7.500 young people discussing the future of Europe. Several EYE speed hearings are currently taking place in various parliamentary committees</p> <p>The European Youth Event (EYE) was created by the European Parliament in 2013, as a new forum for discussing with young people.</p>

AFCO – Hearings and Workshops – 8th Legislature		
Title and poster	Date	Experts
		<p>Topics selected for the hearing</p> <ul style="list-style-type: none"> • The future of Europe after Brexit • Active citizenship <p>Idea Givers:</p> <ul style="list-style-type: none"> • Nikolaus Edlinger • Leonie Sloots • Seyi Akiwowo
<p><u>Hearing AFCO</u></p> <p>What constitutional paths for the future development of the Union?</p>	29/11/2016	<ul style="list-style-type: none"> • Mario Monti, Chair of the High level group on own resources, former Prime Minister of Italy and European Commissioner • António Vitorino, Former European Commissioner
<p><u>Hearing AFCO</u></p> <p>Constitutional implications of referenda on European issues</p>  <p>Chaired by Danuta Hübner</p>	05/12/2016	<p><u>AFCO experts:</u></p> <ul style="list-style-type: none"> • Federico de Montalvo, Assistant Professor of Constitutional Law, Comillas Pontifical University; Vice-Chair, Spanish Bioethics Committee; Member, International Bioethics Committee of UNESCO • Richard Rose, FBA, Director, Centre for the Study of Public Policy, U. of Strathclyde and Visiting Prof. European U. Institute Florence; Wissenschaftszentrum Berlin <p><u>Policy Department experts</u> (presentation of a study entitled “Referendums on EU matters”):</p> <ul style="list-style-type: none"> • Mario Mendez, Senior Lecturer, Department of Law, Queen Mary University of London (QMUL) and Co-Director, Centre for European and International Legal Affairs (QMUL), and by • Fernando Mendez, Senior Researcher, Centre for Research on Direct Democracy, University of Zurich
<p><u>Workshop</u> (Policy Department)</p> <p>The composition of the European Parliament</p>	30/01/2017	<p>(co-rapporteurs Danuta Hübner and Pedro Silva Pereira)</p> <ul style="list-style-type: none"> • Friedrich Pukelsheim, Institut für Mathematik, University of Augsburg

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Title and poster	Date	Experts
		<ul style="list-style-type: none"> ● Victoriano Ramírez González, Department of Applied Mathematics, University of Granada ● Wojciech Słomczyński, Institute of Mathematics, Center for Quantitative Research on Politics, Jagiellonian University of Cracow
<p><u>Workshop</u> (Policy Department)</p> <p>Democratic Complementarity: Implementing the Treaty Provisions on National Parliaments</p> 	20/03/2017	<p>(Workshop in the framework of the discussions on the Implementing report of Paulo Rangel “The implementation of the Treaty provisions concerning national Parliaments” (2016/2149 (INI))</p> <ul style="list-style-type: none"> ● Olivier Rozenberg, Associate Professor, Centre d’études européennes, Sciences Po (Paris) ● Diane Fromage, Assistant Professor, Faculty of Law, Maastricht University ● Luís Heleno Terrinha, Guest Professor, Porto Faculty of Law, Universidade Católica Portuguesa
<p><u>Hearing AFCO</u></p> <p>The development of a European “demos”</p>	20/03/2017	<ul style="list-style-type: none"> ● Peter Wagner (Professor at the University of Barcelona) ● Daniel Innerarity (Professor at the University of Basque Country) ● Kalypso Nicolaïdis (Professor of International Relations, University of Oxford; Director, Center for International Studies, DPIR) ● Aidan O’Sullivan (the Ombudsman’s Head of Cabinet, on behalf of the European Ombudsman)

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Title and poster	Date	Experts
		
<p><u>Workshop</u> (Policy Department)</p> <p>The Impact and Consequences of Brexit on 'Vested' Rights of EU Citizens Living in the UK and British Citizens Living in the EU-27</p>	<p>21/03/2017</p>	<ul style="list-style-type: none"> ● Antonio Fernández Tomás, Professor of Public International Law, University of Castilla-La Mancha ● Diego López Garrido, Professor of Constitutional Law, University of Castilla-La Mancha FUNDACIÓN ALTERNATIVAS
<p><u>Hearing AFCO</u></p> <p>Implementation of the Treaty provisions concerning National Parliaments: the way forward</p>  <p>Interparliamentary Committee Meeting European Parliament - National Parliaments</p> <p>TUESDAY 2 MAY 2017 15:00 - 18:15 ROOM 602</p> <p>JOZSEF ANTALL BUILDING EUROPEAN PARLIAMENT BRUSSELS</p> <p>COMMITTEE ON CONSTITUTIONAL AFFAIRS CHAIRMAN: DANUTA HÜBNER</p> <p>INVITED PERSONALITIES: CARLO CASINI LUDWIK DORN INGOLF PERNICE</p> <p>With the support of the Directorate for Relations with National Parliaments</p>	<p>02/05/2017</p>	<ul style="list-style-type: none"> ● Ingolf Pernice, Research Director on Global Constitutionalism from the Humboldt Institute for Internet and Society, Berlin ● Carlo Casini, former AFCO Chair and former rapporteur on national Parliaments ● Ludwik Dorn, former Polish Sejm Speaker

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Title and poster	Date	Experts
<p><u>Hearing AFCO</u></p> <p>BREXIT: constitutional challenges and implications</p> 	20/06/2017	<ul style="list-style-type: none"> ● Sionaidh Douglas-Scott, Anniversary Chair in Law, Queen Mary University of London ● Piet Eeckhout, Professor of EU Law, University College London, Faculty of Laws ● Christophe Hillion, Professor of European Law at the University of Leiden and at the University of Gothenburg
<p><u>Hearing AFCO</u></p> <p>Regulation 1141/2014 on the statute and funding of European political parties and foundations</p>	12/07/2017	<ul style="list-style-type: none"> ● Rainer Wieland and Ulrike Lunacek, EP Vice-Presidents in charge of the European political parties; ● Didier Klethi, Director General DG Finance European Parliament; ● Ilze Juhansone, Deputy Secretary General of the European Commission; ● Michael Adam, Director of the Authority for the European Political Parties and Foundations
<p><u>Hearing AFCO</u></p> <p>Origins and development of sub-groups of Member States within the EU and its impact in the integration process</p>	28/09/2017	<ul style="list-style-type: none"> ● Charles de Marcilly, Fondation Robert Schuman, Head of Brussels Office ● Anna-Lena Kirch, Program Coordinator Alfred von Oppenheim Center for European Policy Studies, German Council on Foreign Relations ● Jacques Ziller, Professor of

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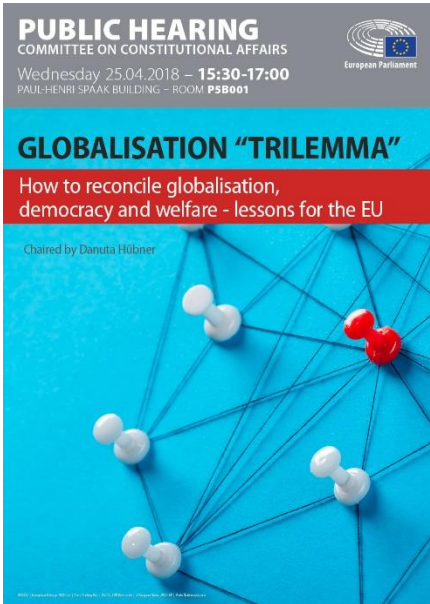

Title and poster	Date	Experts
 <p>PUBLIC HEARING COMMITTEE ON CONSTITUTIONAL AFFAIRS Thursday 28.09.2017 - 10:30-12:15 ALBERTO SPINELLI BUILDING (BRUSSELS) - ROOM A5G2 European Parliament</p> <p>Origins and development of sub-groups of Member States within the EU and its impact in the integration process Chaired by Danuta HÜBNER</p>		<p>European Law, University of Pavia, Department of Political and Social Sciences</p>
<p><u>Workshop</u> (Policy Department)</p> <p>The impact and consequences of Brexit on the devolved administrations of Scotland, Wales and Northern Ireland and on the Overseas Territory of Gibraltar</p>	<p>28/09/2017</p>	<ul style="list-style-type: none"> ● Jonathan Tonge, Professor, University of Liverpool ● Michael Keating, Professor, University of Aberdeen
<p><u>Hearing AFCO</u></p> <p>The constitutional implications of the different scenarios for the future of the Union</p>	<p>21/11/2017</p>	<ul style="list-style-type: none"> ● Luís Miguel Poiares Pessoa Maduro, Professor, Director of the EUI School of Transnational Governance, European University Institute ● Cristina Elías Méndez, Profesora Titular de Derecho Constitucional, Universidad Nacional de Educación a Distancia (UNED), Facultad de Derecho ● René Repasi, Scientific Coordinator of the European Research Centre for Economic and Financial Governance (EURO-CEFG) of the Universities of Leiden, Delft and Rotterdam

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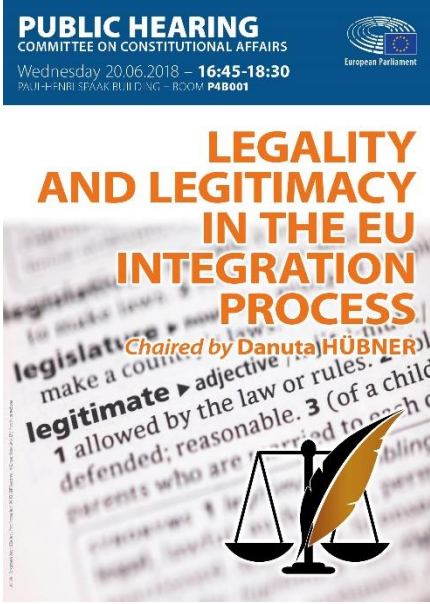

Title and poster	Date	Experts
 <p>PUBLIC HEARING COMMITTEE ON CONSTITUTIONAL AFFAIRS Tuesday 21.11.2017 – 10:30-12:30 PAUL-HENRI SPAIN BUILDING – ROOM PSB001</p> <p>The constitutional implications of the different scenarios for the Future of the Union Chaired by Danuta HÜBNER</p>		
<p><u>Workshop</u> (Policy Department)</p> <p>Brexit and the issue of the jurisdiction over the Withdrawal Agreement and the future relationship agreement between the EU and the UK</p>	21/11/2017	<ul style="list-style-type: none"> ● Antonio Fernández Tomás, Professor of Public International Law, University of Castilla-La Mancha ● Steve Peers, Professor, University of Essex
<p><u>Workshop</u> (Policy Department)</p> <p>The implications of Brexit on the Irish border</p>	28/11/2017	<ul style="list-style-type: none"> ● David Phinnemore (UK), Professor of European Politics; Dean of Education (Queen's University Belfast); Visiting Professor (College of Europe, Bruges) ● Katy Hayward (UK), Reader in Sociology (Queen's University Belfast); Senior Research Fellow (Senator George J. Mitchell Institute for Global Peace, Security and Justice) ● Lars Karlsson (Sweden), President of KGH Border Services; Former Director of World Customs Organization; Deputy Director General of Swedish Customs ● John Temple Lang (Ireland) Solicitor; Adjunct Professor in Trinity College Dublin; Senior Research Fellow in Oxford

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Title and poster	Date	Experts
<p><u>Joint Hearing AFCO-PETI</u></p> <p>Revision of the ECI legal framework: Assessing the Commission Proposal for a new Regulation on the European Citizens' Initiative (2017/0220 (COD))</p> 	<p>21/02/2018 (PETI slot)</p>	<p><u>AFCO experts:</u></p> <ul style="list-style-type: none"> ● Imants Breidaks, CEO of citizens' initiative platform in Latvia, Manabals.lv ● James Organ, Lecturer in Law at the School of Law and Social Justice, University of Liverpool
<p><u>Hearing AFCO</u></p> <p>Globalisation “trilemma”: how to reconcile globalisation, democracy and welfare - lessons for the EU</p>	<p>25/04/2018</p>	<ul style="list-style-type: none"> ● Davide Cadeddu, professor of political theory at the University of Milan and executive editor of “Glocalism: Journal of Culture, Politics and Innovation” ● Susan George, President of the Transnational Institute in Amsterdam and Fellow of the Royal Society of Arts ● Ingolf Pernice, Research Director on Global Constitutionalism from the Humboldt Institute for Internet and Society, Berlin ● Daniel Gros, Director Centre for European Policy Studies, Brussels

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Title and poster	Date	Experts
		
<p><u>Workshop</u> (Policy Department)</p> <p>The consequences for the EU of the future relationship agreement with the United Kingdom</p> 	24/05/2018	<ul style="list-style-type: none"> ● Federico Fabbrini, Full Professor of European Law School of Law & Government and Principal of the Brexit Institute, Dublin City University ● Franklin Dehousse, Professor of EU Law, University of Liège, Former Judge of the Court of Justice of the EU ● Michael Dougan, Professor of European Law and Jean Monnet Chair in EU Law, University of Liverpool
<p><u>Hearing LIBE, in association with ITRE, JURI, AFCO</u></p> <p>FACEBOOK/CAMBRIDGE ANALYTICA CASE</p>	04/06/2018 25/06/2018 02/07/2018	Public hearings organised by LIBE in association with ITRE, AFCO and JURI to carry out an analysis of the various aspects of personal data protection

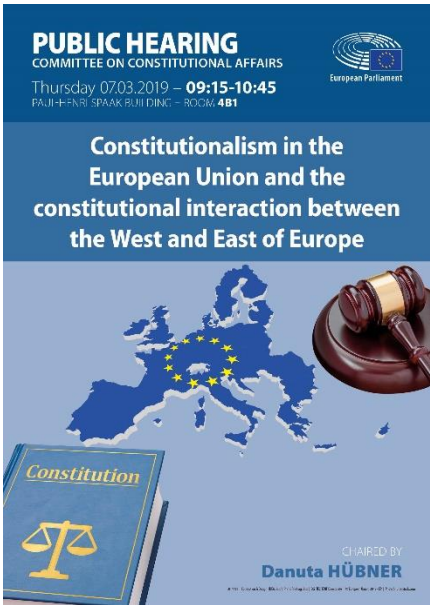
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Title and poster	Date	Experts
<p><u>Hearing AFCO</u></p> <p>Legality and legitimacy in the European integration process</p> 	<p>20/06/2018</p>	<ul style="list-style-type: none"> • Julian Plottka, Institut für Europäische Politik e.V., Berlin • Warren J. Newman, Senior General Counsel, Constitutional, Administrative & International Law Section, Department of Justice of Canada • Eleanor Spaventa, Dipartimento di Studi Giuridici, Università Bocconi
<p><u>AD-HOC Hearing AFCO</u></p> <p>The withdrawal agreement between the EU and the UK</p> 	<p>24/09/2018</p>	<ul style="list-style-type: none"> • René Repasi, Scientific Coordinator of the European Research Centre for Economic and Financial Governance (EURO-CEFG) of the Universities of Leiden, Delft and Rotterdam • Christophe Hillion, Professor of European Law, University of Oslo and University of Leiden

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Title and poster	Date	Experts
<u>Hearing AFCO</u> Institutional structure and governance of existing forms of enhanced cooperation	24/09/2018	<p>(in the framework of two AFCO reports: the implementation report on the Treaty provisions concerning enhanced cooperation (2018/2112(INI)) (Rapporteur: Alain Lamassoure) and the own-initiative report on Differentiated integration (2018/2093(INI)) (Rapporteur: Pascal Durand)</p> <ul style="list-style-type: none"> ● H.E. Ambassador Alexander Kmentt, Austrian Permanent Representative to the Political and Security Committee ● Peter Csonka, Head of Unit for Criminal Law in DG Justice of the European Commission ● Maria Isabel Martinez del Peral, Legal Adviser of the European Commission Legal Service ● Maria Teresa Fabregas Fernandez, Director for Indirect Taxation and Tax administration, DG TAXUD of the European Commission ● Arnout Molenaar, Senior Expert Defence Policy Matters, Crisis Management and Planning Directorate, European External Action Service ● Michael Simm, Head of Strategy and Policy Unit at the European Defence Agency ● Hubert Legal, Legal Adviser to the European Council and Director-General of the Council Legal Service
<u>Hearing AFCO</u> Parliament's powers of political control over the Commission after Lisbon: lessons learnt and the way forward	10/10/2018	<p>(in the framework of the AFCO "Implementation report on the Treaty provisions on Parliament's powers of political control over the Commission" (2018/2113(INI)) (Rapporteur: Mercedes Bresso)</p> <ul style="list-style-type: none"> ● Olivier Costa, Director of the Department of European Political and Administrative Studies since 2013 and Professor at the College of Europe ● Eva-Maria Poptcheva, PhD in Constitutional Law, EP

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Title and poster	Date	Experts
 <p>PUBLIC HEARING COMMITTEE ON CONSTITUTIONAL AFFAIRS Wednesday 10.10.2018 – 10:00-11:15 CONFERENCE ROOM 4Q1</p> <p>Parliament's powers of political control over the Commission after Lisbon: lessons learnt and the way forward</p> <p>Chair: Danuta HÜBNER</p>		
<p><u>Hearing AFCO</u></p> <p>Constitutional perspective of EU's social dimension in the context of the debate on the future of Europe</p>  <p>PUBLIC HEARING COMMITTEE ON CONSTITUTIONAL AFFAIRS Tuesday 27.11.2018 – 14:30-16:00 ATTILIO SPINELLI BUILDING – ROOM A1G-3</p> <p>CONSTITUTIONAL PERSPECTIVE OF EU'S SOCIAL DIMENSION IN THE CONTEXT OF THE DEBATE ON THE FUTURE OF EUROPE</p> <p>Chaired by Danuta Hübner</p>	<p>27/11/2018</p>	<ul style="list-style-type: none"> ● Frank Vandenbroucke, Professor at the University of Amsterdam ● Francesco Costamagna, Associate Professor of European Union law and lecturer in international public law at the Law Department of University of Turin ● Esther Lynch, Confederal Secretary, European Trade Union Confederation
<p><u>Hearing AFCO</u></p> <p>European Youth Hearing (EYE)</p>	<p>27/11/2018</p>	<p>The European Youth Event (EYE) was created by the European Parliament in 2013, as a new forum for discussing with young people. Around 9.000 young people aged between 16 and 30 from all over Europe took part in the third edition of the European Youth Event (EYE2018) at the European Parliament in Strasbourg on 1-2 June. The EYE2018 served as a platform for</p>

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Title and poster	Date	Experts
		<p>dialogue between young citizens and European decision makers. As a direct follow-up of the EYE2018, selected EYE2018 participants will discuss with MEPs some of the most relevant ideas from the EYE and get their direct feedback. European Youth Hearings will take place in seven parliamentary committees between October and November.</p> <p><u>Idea Givers:</u></p> <ul style="list-style-type: none"> ● Dénes András Nagy ● Kalojan Hoffmeister ● Andrea Ugrinoska
<p><u>Hearing AFCO</u></p> <p>Constitutionalism in the European Union and the constitutional interaction between the West and East of Europe</p> 	07/03/2019	<ul style="list-style-type: none"> ● Anneli Albi, Professor of Law at Kent Law School ● Piero Graglia, Associate Professor on History of the International Relations at the School of Political, Economic and Social Sciences, Milan State University ● Kálmán Pócza, Associate professor at the Pázmány Péter Catholic University, Budapest
<p><u>Hearing AFCO</u></p> <p>European Parliamentary Elections, European Parties, European Voters</p>	18/03/2019	<ul style="list-style-type: none"> ● Claire McGing, Maynooth University ● Marina Costa Lobo, University of Lisbon ● Juan Rodríguez Teruel, University of Valencia

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Title and poster	Date	Experts
		<p><u>Other speakers</u></p> <ul style="list-style-type: none"> • Mikel Landabaso Alvarez, Director for Strategy and Corporate Communication at the European Commission • Alexander Kleinig, Head of unit of Concept & Design in DG COMM of the European Parliament

Annex 7

- **Missions**

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
2015			
Riga (Latvia)	18-20 March 2015	<p>Objective: to have a thorough discussion on the perspectives for the EU future institutional evolution with different national authorities, notably the Latvian National Parliament and Constitutional Court, as well as think tanks, social partners, civil society organisations and prominent Latvian public figures involved in EU Affairs.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • Representatives of the EU political foundations in Latvia • The Deputy Speaker of Saeima • The Latvian Constitutional Court • Students and academic staff of the Riga Graduate School of Law • The Parliamentary State Secretary for EU Affairs • Representatives of Latvian minorities 	<ul style="list-style-type: none"> • György Schöpflin (EPP) • Mercedes Bresso (S&D) • Gerolf Annemans (NI)
Berlin (Germany)	18-19 June 2015	<p>Objective: to hold meetings with national institutions playing a leading role in the current European debate.</p>	<ul style="list-style-type: none"> • Danuta Maria Hübner (Chair, EPP)

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
		<p><u>Meetings held with:</u></p> <ul style="list-style-type: none"> • Members of the German Bundestag, Committee for Affairs of the European Union • Meeting with the German Council of Foreign Relations (DGAP) • Meeting with Prof. Dr. Ingolf Pernice, Director of the Walter-Hallstein-Institut • Meeting with Stiftung Wissenschaft und Politik • The Minister of State for European Affairs • Meeting with the Konrad-Adenauer-Foundation, the Friedrich-Ebert-Foundation, the Heinrich-Böll-Foundation and the Rosa-Luxemburg-Foundation • Dr. Ulrike Guérot, Director of the European Democracy Lab • The Head of the Federal Chancellery and Federal Minister for Special Tasks 	<ul style="list-style-type: none"> • György Schöpflin (EPP) • Viviane Reding (EPP) • Constance LE GRIP (EPP) • Elmar Brok (EPP) • Mercedes Bresso (S&D)
Strasbourg (France)	8 July 2015	<p>Meeting with Judges at the European Court of Human Rights</p> <p>Issues discussed:</p> <ol style="list-style-type: none"> 1. The European Union accession to the European Convention for the protection of Human Rights and fundamental freedoms 2. The relationship between the European Court of Human Rights and the Constitutional Courts in the Member States? Example of “best practice”? 3. Examples of cases on electoral law infringements 	<ul style="list-style-type: none"> • Paulo Rangel (EPP) • Mercedes Bresso (S&D) • Sylvie Goulard (ALDE) • Barbara Spinelli (GUE/NGL) • Josep-Maria Terricabras (Greens/EFA)
Washington D.C. and Annapolis, Maryland (United States of America) [ad hoc]	3-6 November 2015	<p><u>Objective:</u> to acquire direct insight into the US constitutional and political processes, in particular the distribution of powers between Congress and the White House, the risk of political gridlock and the constitutional mechanism ensuring democratic accountability at all levels of decision-making and the application of the principle of subsidiarity. This is would serve for the reflection on the future institutional evolution of the EU, the need to enhance democratic legitimacy of the European Governance, the reform of the EU electoral system, the right of inquiry of the EP, and more in general on transparency, ethics, accountability and integrity.</p>	<ul style="list-style-type: none"> • Danuta Maria Hübner (Chair, EPP) • György Schöpflin (EPP) • Enrique Guerrero Salom (S&D) • Jo Leinen (S&D) • Josep-Maria Terricabras

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
delegation, outside the EU]		<u>Meetings held with:</u> <ul style="list-style-type: none"> • The Bipartisan Policy Center • The American Enterprise Institute • Roundtable at the George Mason University • The Center for American Progress • The Government Accountability Office • The Democratic National Committee Political Director • US Congress • The National Conference of State Legislatures • The Congressional Research Service • A former Judge of the Court of Appeals of Maryland • A Chief Judge, Court of Appeals of Maryland • The Secretary of State of Maryland • Members of the General Assembly of Maryland 	(Greens/EFA) • Gerolf Annemans (ENF)
London (United Kingdom)	16-17 November 2015	<u>Objective:</u> To meet the newly elected British national authorities, think tanks, social partners, civil society organisations and prominent public figures involved in European affairs to discuss the perspectives for a future institutional evolution of the Union in the light of the political situation in the country after the elections and notably what concerns a possible reconsideration of the relationship of the UK with the EU. <u>Meetings held with:</u> <ul style="list-style-type: none"> • The Minister for Constitutional Reform • The Shadow Secretary of State for Foreign and Commonwealth Affairs and the Shadow Minister of State for Europe • The Head of the Prime Minister's Europe Strategy Unit • The Former leader of the Scottish National Party • The UK Parliament • The Secretary of State for Foreign and Commonwealth Affairs • Representatives of academic/civil society on "the possible scenarios for the future of Britain in the EU" 	• Danuta Maria Hübner (Chair, EPP) • György Schöpflin (EPP) • David McAllister (EPP) • Elmar Brok (EPP) • Mercedes Bresso (S&D) • Jo Leinen (S&D) • Richard Corbett (S&D) • Kazimierz Michał Ujazdowski (ECR) • Maite Pagazaurtundúa Ruiz (ALDE) • Martina Anderson (GUE/NGL) • Josep-Maria Terricabras (Greens/EFA)

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
2016			
Luxembourg EUCJ	17 February 2016	<p>Visit to the European Union Court of Justice and to the Chamber of Deputy of Luxembourg</p> <ul style="list-style-type: none"> • Meeting with the President, Mr. Koen Lenaerts, and a delegation of the European Union Court of Justice and with the President, Mr. Marc Angel, and a delegation of the committee on Foreign and European Affairs of the Luxembourg Chamber of Deputy <p>Issues discussed:</p> <ol style="list-style-type: none"> 1. Eventual modifications of the provisions on the term of office of members of the Courts in case of a Treaty revision 2. ECJ involvement in economic governance proceeding 3. Possible infringements proceedings against Member States violating the Dublin-rules 4. ECJ oversight on fundamental right violations 5. Relationship ECJ-ECHR on fundamental rights protection 6. The enlargement of the Court 7. Possible direct contacts between the court and the AFCO committee 8. Relationship between the ECJ and national courts, national parliament 	<ul style="list-style-type: none"> • Viviane Reding (EPP) • Elmar Brok (EPP) • György Schöpflin (EPP) • Mercedes Bresso (S&D) • Sylvia-Yvonne Kaufmann (S&D) • Morten Messerschmidt (ECR) • Sylvie Goulard (ALDE) • Barbara Spinelli (GUE/NGL) • Gerolf Annemans (ENF)
Athens (Greece)	30 March to 1 April 2016	<p>Objective: exchange of views with national institutions on the possible constitutional consequences of the management of the financial, economic and social crisis on the one hand and of the refugee crisis on the other hand.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • The Hellenic Parliament: the Standing Committee on Economic Affairs and the Special Standing Committee on European affairs • The Deputy Prime Minister of Greece • The Alternative Minister for EU Affairs • The President of the Council of State • Representatives of academic society 	<ul style="list-style-type: none"> • Danuta Maria Hübner (Chair, EPP) • György Schöpflin (EPP) • David Mc Allister (EPP) • Ramón Jáuregui Atondo (S&D) • Pedro Silva Pereira (S&D) • Maite Pagazaurtundúa Ruiz (ALDE) • Helmut Scholz (GUE/NGL)

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
Budapest and Bratislava (Hungary and Slovakia)	2-4 November 2016	<p>Objective: to gather information on the views of the authorities, civil society and constitutional experts of both countries on the possible constitutional evolution of the EU, notably in view of the outcome of the British referendum in June and on the possible constitutional consequences of the economic, financial, social and refugee crises. The mission will also allow the committee to assess the perception in both Member States of the institutional difficulties posed by the relationship between national authorities and European institutions, notably concerning their respective roles in fundamental rights in the Union.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • Constitutional law expert • The Committee on European Affairs Committee of the National Council of the Slovak Republic and Committee on Constitutional and Legal Affairs of the National Council of the Slovak Republic • Ministre délégué and Government Plenipotentiary for the Slovak Presidency of the Council of the EU • The International Visegrad Fund • The Hungarian Minister of State, responsible for EU Affairs • The Hungarian Minister of State for Economic Diplomacy • The Chair of the Committee on Legislation and Deputy Speaker of the Hungarian National Assembly • The Presidencies of the Committee on Legislation and the Committee on European Affairs of the Hungarian National Assembly • Parliamentary Group Leaders of the National Assembly of Hungary • Member of the Hungarian Constitutional Court • Professors, PhD students of Corvinus University and Heads of Hungarian political think tanks and political research institutes. 	<ul style="list-style-type: none"> • Danuta Maria Hübner (Chair, EPP) • György Schöpflin (EPP) • Pál Csáky (EPP) • Ramón Jáuregui Atondo (S&D) • Maite Pagazaurtundúa Ruiz (ALDE)
2017			
Lisbon (Portugal) [fact-finding mission]	21 February 2017	<p>Objective: in the context of the Implementation report on the Treaty provisions concerning national Parliaments (2016/2149(INI)), the Rapporteur Paulo Rangel was authorised to go on a fact-finding mission to Lisbon in order to have a political exchange of views and a direct insight on the</p>	Paulo Rangel (EPP)

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
		<p>positioning of some Parliaments concerning the role of national Parliaments in the overall process of European integration.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • The President of the Portuguese Parliament • The Secretary General of the Portuguese Parliament • The Committee on European Affairs of the Portuguese Parliament • The Secretary of State for European Affairs of the Portuguese Government 	
Copenhagen (Denmark) [fact-finding mission]	22-23 May 2017	<p>Objective: in the context of the Implementation report on the Treaty provisions concerning national Parliaments (2016/2149(INI)), the Rapporteur Paulo Rangel was authorised to go on a fact-finding mission to Copenhagen in order to have a political exchange of views and a direct insight on the positioning of some Parliaments concerning the role of national Parliaments in the overall process of European integration.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • Members of different parties in the Danish Parliament • The Head of the International Department and the Danish Parliament's Permanent Representative to the EU • The Head of the Department responsible for EU Coordination and Nordic Relations at the Ministry of Foreign Affairs • The EU Chief Adviser 	Paulo Rangel (EPP)
Belgrade (Serbia)	22-24 May 2017	<p>Objective: to exchange views with the Serbian national legislative, executive and judicial authorities and civil society organisations (CSOs) on the constitutional and institutional aspects of the accession process and the possible impact of accession negotiations on the Constitution of Serbia, as well as the steps accomplished by Serbia in what concerns the respect of the fundamental values of the EU and the rule of law.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • Think-Tanks and Civil Society Organisations (CSOs) • CSOs experts in the judicial system • The Serbian Constitutional Court • The Supreme Court of Cassation: • The Minister without portfolio responsible for European integration 	<ul style="list-style-type: none"> • György Schöpflin (EPP) • Maite Pagazaurtundúa Ruiz (ALDE) • Gerolf Annemans (ENF)

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
		<ul style="list-style-type: none"> • The National Assembly of the Republic of Serbia with: • – Committee on Constitutional and Legislative Issues • – European Integration Committee • The Minister of Justice 	
Athens (Greece) [fact-finding mission]	23-25 May 2017	<p>Objective: in the context of the Implementation report on the Treaty provisions concerning national Parliaments (2016/2149(INI)), the Rapporteur Paulo Rangel was authorised to go on a fact-finding mission to Athens in order to have a political exchange of views and a direct insight on the positioning of some Parliaments concerning the role of national Parliaments in the overall process of European integration.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • The Alternate Minister on Foreign Affairs, responsible for European Affairs • The Head of the Directorate for European Affairs in the Greek National Assembly • The Chair of European Affairs Committee and its members 	<ul style="list-style-type: none"> • Paulo Rangel (EPP)
Ottawa and Québec City (Canada) [ad hoc delegation, outside the EU]	18-22 September 2017	<p>Objective: to acquire a direct insight into the Canadian constitutional and political processes, in particular the distribution of powers between the Canadian Parliament, Provinces and the Canadian Government. Specific issues such as Transparency, Electoral Law and Political Parties, as well as the functioning of the provinces/territories and the Canadian Government were amply debated, and valuable ideas could be extracted for the complex and strategic matters that AFCO is currently dealing with, such as the reflection on the future institutional evolution of the EU, the need to enhance democratic legitimacy of European governance, the reform of the EU electoral system, the right of inquiry, and in general on transparency, ethics, accountability and integrity.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • EU Ambassador to Canada • The Department of Justice of Canada • The Commissioner of Lobbying of Canada • The Privy Council Office Federal-Provincial-Territorial Relations Units • Students and professors at the Carleton University • The Chief Electoral Officer at Elections 	<ul style="list-style-type: none"> • Danuta Maria Hübner (Chair, EPP) • Bernd Kölmel (Chair of the Delegation for relations with Canada) • Gyorgy Schöpflin (EPP) • Jérôme Lavrilleux (EPP) • Jo Leinen (S&D) • Maite Pagazaurtundúa Ruiz (ALDE) • Fabio Massimo Castaldo (EFDD) • Gerolf Annemans

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
		Canada, • Former Members of the Special Committee on Electoral Reform • The Standing Committee on Access to Information, Privacy and Ethics, • The Secrétariat aux affaires intergouvernementales canadiennes • The President of the Québec National Assembly • The Committee on Institutions of the National Assembly and members of the Committee for relations with the European Institutions • Roundtable at Université Laval • The Assistant Deputy Minister, Direction générale des affaires juridiques et législatives (Department of Justice) and with the Honourable Associate Chief Justice	(ENF)
2018			
Podgorica (Montenegro) <i>[mission carried out jointly with the interparliamentary Delegation to the EU-Montenegro Stabilisation and Association Parliamentary Committee]</i>	16-17 July 2018	<p>Objective to exchange views with EU ambassadors, the Montenegrin national legislative, executive and judicial representatives and civil society organisations (CSOs) on the progress achieved as well as outstanding issues in the accession process, in particular the steps still to be accomplished by Montenegro in what concerns the respect of the fundamental values of the EU and the rule of law.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • EU Ambassador and EU Member States Ambassadors • The Speaker of the Parliament of Montenegro • The Deputy Prime Minister • The opposition party leaders • The President of Montenegro • NGOs: Centre for Civic Education (CGO), Centre for Monitoring and Research (CEMI), Human Rights Action (HRA) Institute Alternative, Network for the Affirmation of the NGO Sector (MANS), Womens' Rights Centre, a property activist and the Co-chairs of the EU-Montenegro JCC of the EESC (for the Montenegrin side a representative from the Chamber of Commerce of Montenegro) • The Montenegrin Parliament in the context of the 15th meeting of EU-Montenegro SAPC: • The President of the Constitutional Court • Members of the Constitutional Committee of the Montenegrin 	<p><u>AFCO</u></p> <ul style="list-style-type: none"> • György Schöpflin (EPP) • Cristian Dan Preda (EPP) <p><u>Members of the EU-Montenegro delegation</u></p> <ul style="list-style-type: none"> • Peter Kouroumbashev (Head of Delegation, Second Vice-Chair, S&D) • Alojz Peterle (EPP) • Jozo Radoš (ALDE) • Thomas Waitz (Greens/EFA) • Joëlle Bergeron (EFDD)

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
		Parliament	
Bern (Switzerland) [ad hoc delegation, outside the EU]	17-19 September 2018	<p>Objective: to explore the functioning of the original Swiss model of federalism, to analyse the vertical distribution of competences between the different levels of government, as well as the horizontal distribution of powers between the legislature and the executive, and in particular mechanisms ensuring democratic accountability at all levels of political decision. The committee also aimed to gather direct evidence on the role and functioning of the Swiss mechanisms of direct democracy (referendum and popular initiative) and to discuss with Swiss authorities the evolution of the institutional framework governing relations between the EU and Switzerland. As the committee responsible for the consent procedure on the EU-UK withdrawal agreement, the committee aimed as well to gather evidence on the impact of Brexit on EU-Swiss-UK relations.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • The Delegation of the European Union to Switzerland and Liechtenstein • The Directorate for European Affairs • The Conference of Cantonal Governments: Benedikt Würth, president of CdC • The University of Berne • The Swiss Federal Assembly • The Chancellery of the Canton of Berne • The Federal Chancellor of the Swiss Confederation • The Federal Office of Justice 	<ul style="list-style-type: none"> • Elmar Brok (EPP) • Alain Lamassoure (EPP) • Maite Pagazaurtundúa Ruiz (ALDE) • Jørn Dohrmann (Chair of the Delegation for relations with Switzerland and Norway, ECR)
Washington D.C. (USA) [fact-finding mission]	19-21 September 2018	<p>Objective: In connection with the implementation report on the Treaty provisions concerning enhanced cooperation (2018/2112(INI), the Rapporteur Alain Lamassoure was authorised to go on a fact-finding mission to Washington D.C. as the USA is a federal state that demonstrates the oldest practice of the flexibility principle, expressed in the form of agreements or compacts among the states. In fact, a whole array of interstate cooperation forms exists in the USA manifested in the form of interstate compacts, reciprocity statutes, uniform laws, and written interstate administrative agreements for joint action. In the context of the implementation report it was interesting to examine and analyse the usefulness of these forms of flexibility in the EU</p>	<ul style="list-style-type: none"> • Alain Lamassoure (EPP)

AFCO – Missions – 8th Legislature			
Place	Date	Purpose	Participants
		<p>context.</p> <p>Meetings held with:</p> <ul style="list-style-type: none"> • The Multistate Tax Commission • The World Bank • Think tanks/organisations dealing with interstate cooperation: Uniform Law Commission, National Association of Attorney Generals, George Mason University • The National Governors Association (NGA) • The US Supreme Court • The Congressional Research Service • The House of Representatives 	
Vienna (Austria) [fact-finding mission]	20 September 2018	<p>Objective: In the context of the Implementation report on the legal provisions and the Joint Statement ensuring parliamentary scrutiny over decentralised agencies (2018/2114(INI)), the Rapporteur György Schöpflin was authorised to go on a fact-finding mission to the Fundamental Rights Agency (FRA) in Vienna in order to see how the agency functions in practice and to have a more structured dialogue between AFCO and the FRA management.</p> <p>Meetings were held with the Director of FRA, Mr Michael O’Flaherty, as well as the Chair of the Management Board, the Vice-Chair of the Scientific Committee and senior experts on the Rule of Law and the Fundamental Rights Information System.</p>	• György Schöpflin (EPP)
Budapest and Prague (Hungary and Czech Republic) [fact-finding mission]	30-31 October 2018	<p>Objective: In the context of the Implementation report on the legal provisions and the Joint Statement ensuring parliamentary scrutiny over decentralised agencies (2018/2114(INI)), the Rapporteur György Schöpflin was authorised to go on a fact-finding mission to the European Union Agency for Law Enforcement Training (CEPOL) and to the European GNSS Agency (GSA) in order to see how these agencies function on a daily basis.</p> <p>In both agencies, meetings were held with the Executive Director, a member of the Management Board, members of the management teams and experts.</p>	• György Schöpflin (EPP)

Annex 8

- **Studies**

Policy Department Studies for AFCO – 8th Legislature
2019
The Council of the EU: from the Congress of Ambassadors to a genuine Parliamentary Chamber?
The EU framework for enforcing the respect of the rule of law and the Union's fundamental principles and values
A Fiscal Capacity for the Eurozone: Constitutional Perspectives
The meaning of "association" under EU law: a study on the law and practice of EU association agreements
Constitutional challenges of the enlargement - is further EU enlargement feasible without constitutional changes?
2018
The (ir-)revocability of the withdrawal notification under Article 50 TEU
Jurisdiction upon and after the UK's withdrawal: the perspective from the UK constitutional order
Smart border 2.0. Avoiding a hard border on the island of Ireland for customs control and the free movement of persons
The institutional consequences of a 'bespoke' agreement with the UK based on a 'close' cooperation model
The institutional consequences of a 'hard Brexit'
The impact of the UK withdrawal on the EU integration
The institutional consequences of a 'bespoke' agreement with the UK based on a 'distant' cooperation model
The implementation of enhanced cooperation in the EU
2017
Brexit and the European Union
Referendums on EU Matters
The composition of the European Parliament
The role of national parliaments in the EU after Lisbon: potentialities and challenges
The impact and consequences of Brexit for Northern Ireland
The Brexit negotiations: an assessment of the legal, political and institutional situation in the UK
Subsidiarity as a means to enhance cooperation between EU institutions and national parliaments
The jurisprudential role of national parliaments in the EU
The impact of the United Kingdom's withdrawal from the EU on Scotland, Wales and Gibraltar
The impact and consequences of Brexit on acquired rights of EU citizens living in the UK and British citizens living in the EU-27
The role of cities in the EU institutional framework

Policy Department Studies for AFCO – 8th Legislature
Smart border 2.0 – avoiding a hard border on the island of Ireland for customs control and the free movement of persons
Brexit and Ireland – Legal, political and economic considerations
UK withdrawal ('Brexit') and the Good Friday Agreement
The settlement of disputes arising from the UK's withdrawal from the European Union
2016
European Social Charter in the context of implementation of the EU Charter of Fundamental Rights
Renegotiation of the UK Constitutional relationship: Sovereignty
Renegotiation of the UK Constitutional relationship: Competitiveness and Better Law Making
Renegotiation of the UK Constitutional relationship: Immigration
Renegotiation of the UK Constitutional relationship: Economic Governance
Implementation of the Lisbon Treaty - Improving functioning of the EU: Economic and Monetary Policy
Potential and challenges of e-voting in the European Union
Potential and challenges of e-participation in the European Union
Legal and Political context for setting up an European Identity Document
Implementation of the Lisbon Treaty - Improving functioning of the EU: Foreign Affairs – revised study
L'avis 2/13 de la Cour de Justice sur l'Adhésion de l'Union à la CEDH et après ?
What next after Opinion 2/13 of the Court of Justice of the accession of the EU to ECHR?
Implementation of the Charter of Fundamental Rights of the EU in the EU institutional framework
The 2016 "Winter Package" on European Security and Defence: constitutional, legal and institutional implications
Brexit Literature Update 12/2016
2015
The Juncker Commission: new institutional and legitimacy set-up
Scrutiny of declarations of financial interests in national legislatures
Best practices in legislative and regulatory processes in a constitutional perspective: actors, processes and transparency. The case of Poland
Better Regulation in the EU and the Netherlands. A comparison of impact assessment systems.
Best practices in legislative and regulatory processes in a constitutional perspective: the case of the European Union
Transparency, Public Consultation Practiced and Government Accountability in US Rulemaking
The European Council and the Council: new dynamics in EU governance
Quels défis pour le Parlement européen: législation, contrôle, organisation
Looking ahead: pathways of future constitutional evolution of the EU
Trends in differentiation of EU Law and lessons for the future
The Electoral Reform of the European Parliament: composition, procedure and legitimacy

Policy Department Studies for AFCO – 8th Legislature
<u>Candidate selection by the national parties for the European Elections</u>
<u>The ECB's Outright Monetary Transaction Programme compatibility with the EU Law (Judgment in case Gauweiler C-62/14)</u>
<u>Institutional and constitutional aspects of special interest representation</u>
<u>European Parliament as a driving force of European constitutionalisation</u>
<u>Electoral rules and electoral participation in the European elections: the ballot format and structure</u>
<u>Implementation of the Lisbon Treaty - Improving functioning of the EU: Foreign Affairs</u>
<u>Flexibility mechanisms in the Lisbon Treaty</u>
<u>Party financing and referendum campaigns in EU Member States</u>
<u>United Kingdom's renegotiation of its constitutional relationship with the EU: agenda, priorities and risks</u>
2014
<u>Challenges in constitutional affairs in the new term: Talking stock and looking forward</u>
<u>European citizens' initiative -first lessons of implementation</u>
<u>Political parties and political foundations at European level. Challenges and opportunities</u>
<u>The European elections: EU legislation, national provisions and participation</u>
<u>Interest representatives' obligation to register in the transparency register: EU competences and commitments to fundamental rights</u>
<u>Parliamentary questions in selected legislative chambers</u>

Rules of Procedure of the European Parliament

Table showing the correlation between end of 8th parliamentary term and beginning of 9th parliamentary term

Old Rules and Annexes mentioned below refer to the Rules and Annexes in force at the end of the 8th parliamentary term, whereas New Rules and Annexes refer to the new renumbered version of the Rules of Procedure in force as of July 2019

Old Rules	New Rules	Old Rules	New Rules	Old Rules	New Rules	Old Rules	New Rules
1	1	30a	31	59	59	78b	81
2	2	31	32	59a	60	78c	82
3	3	32	33	60		78d	83
4	4	33	34	61		78e	84
5	5	34	35	62		79	85
6	6	35	36	63	61	80	86
7	7	36	37	63a	62	81	87
8	8	37	38	64	63	82	88
9	9	38	39	65	64	83	89
10		39	40	66	65	84	90
11	10	40	41	67	66	85	91
11a	11	41	42	67a	67	86	92
12	12	42	43	68		86a	93
13	13	43	44	69	68	87	
14	14	44	45	69a	69	88	94
15	15	45	46	69b	70	89	
16	16	46	47	69c	71	90	95
17	17	47	48	69d	72	91	96
18	18	47a	49	69e	73	92	97
19	19	48	50	69f	74	92a	98
20	20	49	51	69g	75	93	99
21	21	50	52	70	76	94	100
22	22	51	53	71	77	94a	101
23	23	52	54	72	78	95	
24	24	52a	55	73		96	102
25	25	53	56	74		97	103
26	26	54	57	75		98	104
27	27	55	58	76		99	105
28	28	56		77		100	106
29	29	57		78	79	101	107
30	30	58		78a	80	102	108

Old Rules	New Rules
103	109
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115	121
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116a	123
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118a	126
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122a	131
123	132
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130b	139
131	140
131a	141

Old Rules	New Rules
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210a	221
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214a	225
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216	227
216a	228
217	229
218	230
219	231
220	232
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223a	235
224	
225	

Old Rules	New Rules
226	236
227	237
228	238
228a	239
229	240
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231	241

Old Annexes	New Annexes
I	I
IA	II
II	III
III	IV
IV	V
V	VI
VI	VII
VII	VIII