

**ANSWERS TO EUROPEAN PARLIAMENT
QUESTIONNAIRE FOR COMMISSIONER - DESIGNATE**

Tonio BORG

(Health and Consumer Policy)

General competence, European commitment and personal independence

- 1. What aspects of your personal qualifications and experience are particularly relevant for becoming Commissioner and promoting the European general interest, particularly in the area you would be responsible for? What motivates you? Which guarantees of independence are you able to give the European Parliament, and how would you make sure that any past, current or future activities you carry out could not cast doubt on the performance of your duties within the Commission?**

Over the last 20 years, I have held many functions in the Maltese Parliament and government, including as Minister for Foreign Affairs, Justice, Home Affairs, and the Environment, as Deputy Prime Minister as well as Member and for several years now Leader of the House of Representatives.

They allowed me to deal with many areas of European integration and deepened my conviction that Europe is strongest where it stands united. A small country like Malta benefits most from integrating its economic and political systems with its neighbours. For this reason, I have been an ardent promoter of Malta's accession to the EU for over three decades, which I helped to prepare as Member of the Joint Committee between the European Parliament and the Maltese House of Representatives. I was also responsible for the incorporation of the *acquis communautaire* on justice and home affairs into Maltese law.

Fundamentally I have, throughout my political career, fought for and defended European values as reflected in the Treaties, with their highest expression now contained in the Charter of Fundamental Rights.

As Deputy Prime Minister and Leader of the House of Representatives I was regularly involved in matters of health and consumer protection. They form an integral part of the value of solidarity, on which the EU is based and which needs to be defended vigorously, in particular in the current context of fiscal austerity.

I believe that my political experience in Malta, which due to its small size always relied on close cooperation with other countries, my professional background as a lawyer, and my longstanding experience in drafting and negotiating legislation on a number of varied topics equip me with all necessary instruments to develop and implement successfully EU policies.

I fully guarantee the integrity and independence of my work. I have completed the Declaration of interests as foreseen by the Code of conduct for Commissioners and made it publicly available. I commit to update it if there are changes and at least every year.

I am fully aware of the obligations foreseen in the Treaties (Articles 17(3) TEU, 245 TFEU), in particular that Commissioners must not accept instructions from any government or any other body, and I commit to fully respect them.

I am equally aware of Article 245 TFEU and commit to fully respect this provision which contains the basic guarantees of independence and ethical principles to be respected by the Members of the Commission; in particular, the obligation to refrain from any action incompatible with their duties, not to engage in any other occupation, whether gainful or not during the term of office, and the undertaking to respect the obligation to behave with integrity and discretion as regards the acceptance of certain appointments or benefits after their mandate. I solemnly undertake to comply with ethical standards as set out in Article 245 TFEU and the Code of conduct for Commissioners adopted in April 2011.

I commit to avoid any position or situation which could put in question my independence, impartiality and availability to the Commission, to refrain in particular from holding any public office of whatever kind and from engaging in any other professional activity, whether paid or unpaid.

As early as 1998, when taking ministerial office in the government of Malta, I severed all ties with my legal office and practice. I do not have any business interests of any kind.

I commit to inform the President of the Commission of any situation which might involve a conflict of interests in the performance of my official duties.

Management of the portfolio and cooperation with the European Parliament and its committees

2. How would you assess your role as a Member of the College of Commissioners? In what respect would you consider yourself responsible and accountable to the Parliament for your actions and for those of your departments?

I commit to take my political responsibility for the activities of Directorate-General Health and Consumers in line with the principle of collegiality, and to carry out my responsibilities in full cooperation with the other members of the College. My ambition would be to support a strong collegiality within the College of Commissioners. I believe this to be particularly incumbent on me given the nature of the portfolio for which I have been suggested. A successful health and consumer policy requires close cooperation with many other Commissioners to ensure that such issues are reflected in all policies. I look forward to this challenge as throughout my political career I have always cherished and developed a strong culture of dialogue and consensus both with my colleagues and my political adversaries. This will hold me in good stead within the College of Commissioners.

I am a Parliamentarian myself. In Malta, the government is a Parliamentarian executive. It emanates from and sits in Parliament. In this respect therefore, I enjoy wide experience in accountability to Parliament and permanent co-operation with it. The principle of the accountability of the executive towards the representatives of the people is a cornerstone of European democracy. I have lived up to this conviction throughout my political career in Malta, in particular as I held, and still hold, responsibility as a Cabinet Minister and the Leader of the House of Representatives at the same time. I would continue in this spirit, assuming full political responsibility towards the European Parliament.

I commit to ensure a constructive political dialogue with the European Parliament, its committees and Members based on openness, transparency, mutual trust, regular reporting and exchange of information, in order to allow the Parliament to exercise its democratic oversight effectively. In particular I believe that it is key to establish dialogue at the early stage of policy formation to allow for a true reflection of the views of European citizens as expressed via the European Parliament. I give full assurance that the relations between myself and the Directorate-General Health and Consumers will be based on loyalty, trust, transparency, two-way information flow and mutual assistance.

3. What specific commitments are you prepared to make in terms of enhanced transparency, increased cooperation, and effective follow-up to Parliament's positions and requests for legislative initiatives, also in the light of the entry into force of the Treaty of Lisbon? In relation to planned initiatives or ongoing procedures, are you ready to provide Parliament with information and documents on an equal footing with the Council?

During my different political roles in Malta I have learned and appreciated the crucial importance of transparency towards the Parliament, and I would continue in this vein towards the European Parliament. I fully subscribe to strong inter-institutional co-operation as it is important not only to ensure high-quality and rapid decision making, but also to strengthen the legitimacy and accountability of public governance. I commit to fully implement the provisions of the Framework Agreement regarding greater openness to improve transparency and enhance the flow of information between the Parliament and the Commission.

Considering the limited remaining time until the end of this Parliament, an important focus of my mandate would be to ensure delivery of ongoing or forthcoming legislative proposals. I stand ready therefore to engage into a close and ongoing dialogue with the Parliament, its committees and its members on these proposals.

At a time when Europe is facing major challenges and seeking ways in which to equip itself with more representativeness and legitimacy, one cannot but work towards more engagement with the European Parliament. As legislator in Malta I always recognised the importance of proper consultation for effective policy-making. At a European level this assumes even more importance since we have to work harder to bridge the gap with our citizens and this can only be done effectively and democratically by the body which represents our citizens.

I am fully committed to engage in close and ongoing cooperation with the Parliament and its committees and Members, in particular the Committees for Environment, Public Health and Food Safety; Internal Market and Consumer Protection; and Agriculture and Rural Development. Ongoing, open and constructive inter-institutional co-operation going far beyond the legislative processes is indispensable to ensure a good functioning of the EU's institutional system. I am keen to engage in an ongoing regular dialogue, as described in the Framework Agreement, regularly attending committee meetings, ensuring a direct flow of information with the Chairs of the relevant committees, and will always be available for bilateral meetings and direct communication with committee members.

As regards the follow-up to Parliamentary positions, I am committed to fully implement the provisions of the Framework Agreement. I will also fully implement the provisions of the Framework Agreement concerning the provision of information and documents in particular given that the Parliament has full co-legislative powers with the Council for the areas of health and consumer policy.

Policy-related questions

4. What are the main priorities you intend to pursue as part of your proposed portfolio, taking into account, where relevant, commitments made so far by the European Commission and the financial, economic and social crisis and concerns related to sustainable growth?

My overall priority would be to support and contribute to the EU's foremost ambition to delivering a decisive response to the current economic crisis. This is central to the credibility of the European project.

An appropriate regulatory framework is of critical importance for certain key sectors of the EU economy, notably food, pharmaceuticals, medical devices, cosmetics and consumer protection in general. I would aim at taking a leading role in maintaining and developing these frameworks ensuring also that reforms improve competitiveness in these sectors, which are all the more important at a time when Europe is living through one of its biggest economic and social crises.

I would pay particular attention to the health sector. Health systems are under severe pressure today due to the economic difficulties faced by the Member States. I would intend to work with them with a view to ensuring sustainability of EU health systems, building on common values of universality, access to good quality care, equity and solidarity, to make them more transparent and accountable to patients. All patients should benefit from this. My emphasis would also be to ensure proper implementation of the recently adopted laws on pharmaceuticals, and to work together with the Parliament and the Council to pursue the review of the legislation such as on medical devices or clinical trials, keeping in mind the paramount principle of patient safety. I would also do all to rapidly table a proposal to review the tobacco products directive aiming at securing the functioning of the internal market in tobacco and related products while ensuring better protection of the public in general and young people in particular.

In the agro-food sector, my first priority would be to complete the work initiated by my predecessors on the food chain and to update, improve and simplify our highly regulated internal market for animals, plants, seeds, food and feed. A high level of protection is essential for our consumers as well as for the credibility of these sectors and their ability to trade under safe conditions, but we can and should do more to ensure that the rules are simpler and easier to apply, to control and manage for economic operators and public authorities. We need also to ensure that our high level of protection equally applies to food imports from third countries.

Citizens' confidence in the market is crucial as it conditions consumption and thus contributes to growth since consumer expenditure represents 56% of EU GDP. A safe and secure European market is essential to foster such a trust. In consumer policy, I would aim to put consumers at the heart of EU policy-making. The Consumer Agenda provides a comprehensive framework for action in the years to come, focusing notably on enforcement. I would develop with other Commissioners further initiatives on bank accounts and on product safety, and bring to a satisfactory conclusion the negotiations on the proposals on alternative and online dispute resolution.

5. What are the specific legislative and non-legislative initiatives you intend to put forward, and according to what timetable? What specific commitments can you make regarding in particular the committees' priorities and which would fall within your portfolio? How would you personally ensure the good quality of legislative proposals?

I am committed to ensuring that my policies are developed on the basis of sound regulatory practices and in particular independent scientific advice, broad stakeholder consultation, sound legal and economic analysis and strict respect of proportionality and subsidiarity.

The EU should be proud of its commitment to high levels of safety and the benefits this brings to consumers and business. I intend to continue the good work of my predecessors in the field of health and consumers and build on it. In this time of economic crisis, we need continuity to deliver on commitments made at the start of the Commission's mandate, and on our shared objectives.

There are a number of on-going legislative procedures covering proposals such as alternative and on-line dispute resolution, specialised foods, cross-border health threats, clinical trials and medical devices which I will pursue actively. While I fully acknowledge the sensitivities surrounding these issues, I am ready to provide all assistance to the Parliament so as to allow the adoption of these proposals during this Parliament.

I also aim to present a number of important legislative proposals such as on tobacco, product safety, bank accounts, animal medicines, food hygiene, animal cloning and novel food. As a matter of priority, I will present a much needed legislative proposal setting the framework of the financial expenditure in the food and feed area for the period 2014-2020 and I will ensure that in this area as well, expenditures are targeted at actions with strong and demonstrated EU added-value. This proposal should be part of the review package covering animal health, plant health, seeds and official controls in the food chain. My other immediate priority is the tobacco proposal, where my goal is to be ambitious while balanced, addressing deficiencies in the current legislation in order to facilitate the functioning of the internal market in tobacco and related products and ensure a high level of health protection within the limits conferred by the Treaty. If I am confirmed as Commissioner, I would intend to submit this to the College as soon as possible.

Patients' safety has not been increasing at satisfactory pace in the past, and the ongoing fiscal constraints increase the risk of further deterioration. Building on the forthcoming report I would aim at working on a joint action plan with Member States.

A key focus of my mandate would be swift implementation and strict enforcement of existing legislation and rights. Enforcement is essential to efficient policy making and even more so in times of limited resources. It is a key both for consumers, whose rights should be implemented, and for businesses, by providing a level-playing field. Improving enforcement and redress is also one of the four priorities in the new Consumer Agenda setting the strategy for consumer policy for the years to come. I believe that we should look together at ways to step up enforcement and push for more effective redress systems including alternative and on-line dispute resolution as well as collective redress.

On health, I will continue the important work of assisting Member States in their health system reforms, building on common values of universality, access to good quality care,

equity and solidarity. The current economic climate together with an ageing population and rising costs of health technology puts healthcare systems under pressure.

High quality of legislative proposals is crucial in order to best realize the benefits for patients and consumers but also to contribute to job creation by fostering innovation and thus improving the competitiveness of European industry. I combine in my person the experience of a lawyer, an academic and a long-standing politician working at the same time for the government and the national Parliament. I would build on this experience to contribute to further improving the quality of relevant proposals ensuring they are all based on high quality impact assessments.