Question for oral answer O-000039/2019
to the Commission
Rule 136
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Subject: Reform of the general principles of comitology

In early 2017, the Commission published a legislative proposal to review the so-called ‘comitology’ procedure through which the Commission exercises the implementing powers conferred on it by the EU legislator with the assistance of committees of representatives from Member States. This draft regulation insists on the need to ensure more accountability on the part of the Member States in the decision-making process leading to the adoption of implementing acts.

The aim of this reform is to avoid the all too frequent scenario where the comitology committees made up of Member States’ representatives cannot reach a qualified majority, and therefore conclude with ‘no opinion’. In the explanatory memorandum to the draft regulation, the Commission acknowledges that it is problematic that authorisations for GMOs or the active substances in pesticides can still be granted even in cases of ‘no opinion’, since ‘these decisions often concern politically sensitive matters of direct impact on citizens and businesses, in particular in the field of health and safety of humans, animals and plants’. Furthermore, in a majority of cases, the predominant position of most Member States is either to vote against or to abstain.

Article 6(3) of the Comitology Regulation of 2011 does not oblige the Commission to grant authorisation in cases of ‘no opinion’ in the appeal committee, and recital 14 of the Regulation states that the Commission should avoid going against the predominant position of the appeal committee. In its eighth term, Parliament adopted several resolutions objecting to implementing decisions to place sensitive substances and products on the market owing to the concerns raised about the risks to human and animal health, as well as to the environment. However, the Commission continues to adopt implementing acts in cases of ‘no opinion’ and therefore does so without the support of Member States and in spite of objections by Parliament.

1. How does the Commission explain that it continues to adopt implementing acts, where there is a clear lack of support by the co-legislators?

2. Will the Commission pursue its initial proposal to reform the Comitology Regulation and its general principles governing mechanisms for Member States’ scrutiny over the Commission’s exercise of its implementing powers?

3. How does the Commission intend to break the deadlock in Council on these issues?

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