

Directorate-General for Internal Policies of the Union
Directorate for Citizens' Rights and Constitutional Affairs
Secretariat of the Committee on Constitutional Affairs

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Antonio TAJANI
Chair
Conference of Committee Chairs
PHS 08B043
Brussels

Dear Mr Tajani,

The Committee on Constitutional Affairs (AFCD), in accordance with Rule 125 of the Rules of Procedure of the European Parliament, held a public hearing on Thursday 3 October 2019 with Dubravka Šuica, Vice-President-designate, who, subject to the positive outcome of the nomination procedure, will be responsible for Democracy and Demography.

On 27 September 2019 the Committee on Constitutional Affairs, pursuant to Rule 125 of the Rules of Procedure and Article 2 of Annex VII thereto, received the letter by the JURI Committee regarding the scrutiny of the declaration of financial interests of Ms Dubravka Šuica.

Prior to the hearing, Parliament had sent the Vice-President-designate a list of written questions, which, besides the two horizontal questions on general competence, European commitment, personal independence, the management of the portfolio and cooperation with the European Parliament, centred around:

- 1) the Conference on the Future of Europe and in particular:
 - the main objectives scope, concept, structure and participation in the Conference;
 - the role of the European Parliament therein;
 - the way of involving and including citizens, civil society, representatives of regional, local authorities and other stakeholders in this Conference;
 - the follow-up to this Conference, notably a possible revision of the Treaties;
- 2) citizens' rights, Citizens' Dialogues, consultations and participation;
- 3) subsidiarity and national parliaments.

These subjects were also addressed in the opening and closing statement of Ms Dubravka Šuica and during the course of the hearing, in the round of 7 questions from representatives of the

political groups and in the subsequent second round of 18 questions by Members, including a representative from the non-attached members.

In addition, during the course of the hearing, Members asked questions:

- on the position of the Vice-President-designate towards certain institutional questions, such as an initiative right for the European Parliament, extension of qualified majority voting in Council, ways of strengthening the European pillar of social rights in the Treaty framework, transparency, the lead-candidate system, transnational lists, application of the principle of subsidiarity and proportionality, the fight against fake news and disinformation, the values enshrined in Article 2 TEU and Article 7 TEU procedures in that context, misrepresentation in Member States of how the EU works,
- on the structure of the portfolio the Vice-President-designate and on the part of the portfolio dealing with demography, in particular with regard to her position on women's, children's and LGBTI rights, sexual and reproductive health care and rights and the protection of vulnerable groups and minorities, work-life balance, ageing societies, exclusion of rural areas, family policies, gender equality and gender mainstreaming,
- on her commitment to the rule of law;

In her statements and replies to written and oral questions of the members, Ms Šuica made inter alia the following specific commitments regarding her future action as Commissioner:

- She will engage with Parliament and the Council on a concept, structure, timing and scope of the Conference on the future of Europe, on the basis of a concept paper that she intends to put forward as a basis for that discussion; she acknowledged a leading role for the European Parliament, in particular in co-chairing the Advisory Board of the Conference together with the Commission; she stressed that the Conference has to be highly inclusive in terms of participation and in its organisation; she underlined that there should be a tangible outcome of the Conference, after a listening phase, and that such outcome could lead to Treaty changes if considered necessary.
- She considers that a right of initiative for the European Parliament will give a stronger role to the voice of the people and is ready to promote such right, and, based on the outcome of the Conference, she is ready to consider a relevant treaty change.
- She committed to work with the Vice-President-designate for Values and Transparency to broker discussions between the European Parliament and the Council, on improving the lead candidate system and discuss transnational lists; those will be the first topics to be dealt with by the Conference on the Future of Europe.
- In relation to proposals for a permanent mechanism for citizens' dialogues and citizens' consultations, she stated that she is willing to assess the most effective methods to ensure such a permanent engagement and considered that the Conference on the Future of Europe is one important step in this direction.
- She underlined that she is fully committed to the values enshrined in Article 2 TEU.

- She supports the commitments taken by the current Commission in strengthening relations with national parliaments, notably in enhancing the visibility of national parliaments' input into EU legislation by giving aggregated responses if a significant number of them express subsidiarity concerns. She agreed that subsidiarity works in both directions and that the proportionality principle must also be taken into consideration. She supports the establishment of an annual European week in which members of national parliaments and the European Parliament and members of the European Commission discuss European Affairs.
- She committed to carry out an extensive mapping of the demographic challenges of all EU regions, based on collaboration with Eurostat on an objective and extensive set of data.
- She fully committed to defend children's rights and to present a new comprehensive strategy on the rights of the child.

On the basis of the responses of the Members present at the hearing, as well as the comments made by my committee's coordinators, who met in camera after the hearing under my chairmanship, I hereby give the following assessment:

The coordinators of the committee consider that Ms Šuica enjoys the personal qualifications needed to properly perform the duties of Vice-President for Democracy and demography.

Ms Šuica has shown unquestionable European commitment and has demonstrated her ability to communicate and take initiative.

The coordinators welcome the commitments made by Ms Šuica in her written replies, opening statement and in her replies to Members' oral questions, in particular with a view to cooperating with Parliament, and positively assess her aptitude as regards the specific policy areas for which she has been designated.

The general outcome of this hearing is that the Vice-President-designate gave a convincing impression of her aptitude to be a member of the College of Commissioners and to carry out the specific tasks assigned to her.

The coordinators representing a majority of two-thirds of the committee membership, approved that the Vice-President-designate Dubravka Šuica, is qualified both to be a member of the College of Commissioners and to carry out the specific tasks assigned to her.

The opinion of the committee associated with the hearing, the Committee on Employment and Social Affairs, is positive and attached to this letter (Annex 1).

The coordinators of the following three groups requested to include the following aspects, which constitute a minority view:

Minority view of the Greens/EFA group:

The general outcome of this hearing is that the Commissioner-designate gave an unconvincing impression of her aptitude to carry out the specific tasks assigned to her for the following reasons:

- her ambiguous and unconvincing answers to relevant questions of her portfolio;

- her position on the roots of the democratic deficit which, according to her, 'is more about demographic change than democratic structures';
- her lack of clarity in her position on the future of Europe, the structure of the Conference on the Future of Europe and its follow up as well as her position on transnational lists;
- her unconvincing replies on her past voting behaviour on key votes on women's rights and gender equality, in particular, sexual and reproductive health and rights;
- her unconvincing replies on her past voting behaviour on key votes on rule of law and transparency;
- her lack of capacity to ensure inclusive, non-discriminatory and rights-based approaches to demography;
- her lack of vision and ambition on proposals on how to address the democratic deficit;

Minority view of the ID group:

The ID group cannot endorse Ms Šuica in view of the importance she attaches to the reports "improving the functioning of the European Union building on the potential of the Lisbon Treaty" and "possible evolutions of and adjustments to the current institutional set-up of the European Union". It seems incompatible with the openness toward a less federalist evolution of the European Union.

Her federalist commitment goes excessively far in order to ensure an open debate during the conference on the future of Europe which risks becoming a mere implementation of these resolutions.

Minority view of the GUE/NGL group:

Ms Šuica did not provide convincing answers as to how she would reconcile her past voting record on rule of law, transparency, electoral reform, women's sexual and reproductive health rights and LGBTI rights with a portfolio on Democracy and Demography.

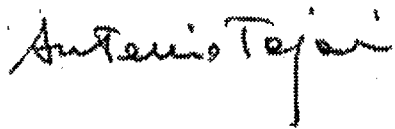
Ms Šuica did not provide a firm commitment to the rule of law or respect for Parliament's role in the context of Article 7(1) TEU, nor did she give adequate assurances that Parliament will play a leading role in defining the scope and outcome of the Conference on the Future of Europe. These shortcomings concern also lack of a clear vision on how to guarantee the millions of EU citizens both in the UK and EU 27 their citizens' rights, including the perspective for the 1,8 million Irish citizens born in the North of Ireland to get back to EU membership.

Ms Šuica also failed to provide a firm commitment to support and promote women's right to self-determination in relation to their own body within the context of her portfolio on demography or as a member of the College.

In view of this, we cannot support Ms Šuica at this stage and ask for additional written questions.

Finally, we urge President-elect von der Leyen to remove the word "demography" from the portfolio as it draws on a far-right and nationalist terminology that is used to express anti-immigration views and promoting population increase centred on a boost to the "native European birth-rates". Furthermore, using the term 'demography' in this portfolio is misleading the public.

Yours sincerely,

A handwritten signature in cursive script that reads "Antonio Tajani". The signature is written in dark ink and is positioned above the printed name.

Antonio TAJANI
Chair of the Committee on Constitutional Affairs

ANNEX 1

OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS

The Committee on Employment and Social Affairs, in general, finds the Commissioner-designate qualified to carry out the particular duties she has been assigned within the remit of the EMPL Committee.

EMPL takes note of the commitments expressed and emphasis put by the Commissioner-designate ŠUICA during the hearing, in particular as regards issues that are in the EMPL Committee's mandate:

- To implement the European Pillar of Social Rights;
- To present a Green paper on ageing;
- To fight against poverty, including child poverty and a larger budget for the Child Guarantee.

Whereas the overall topics of the mission letter were addressed, the EMPL Committee wishes to understand more concretely the means of collaboration between the Commission and the EMPL Committee on the following issues:

- Developing a solid Child Guarantee, adapted to current EU challenges
- Creation of policies for the aging population that are based on opportunities for an active life, not only on benefits
- Raising greater awareness on the necessity of the work-life balance in the life of citizens, especially among the young generation and for women's participation in the labour market
- The need for further explanations regarding the implementation of the Conference on the Future of Europe
- Ways of including organized and unorganized civil society in the process of implementation of the Conference on the Future of Europe not only as participants, but also as facilitators, including possible Treaty changes should the citizens' voice aim for it
- Further extension of the policies that address the needs of children, youth and young families including employment policies to tackle brain drain, beyond the scope of the Child Guarantee and Youth Guarantee.
- EMPL asks for rewording from "better reconciling work and family" (see the mission letter) to a "better reconciling work and private life".