



**COUNCIL OF
THE EUROPEAN UNION**

Strasbourg, 11 June 2013

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**PE 286
INST 298
POLGEN 104**

NOTE

from: General Secretariat
to: Delegations
Subject: Summary record of the meeting of the European Parliament **Committee on Constitutional Affairs (AFCO)**, held in Strasbourg on 10 June 2013

The meeting was chaired by Mr CASINI (EPP, IT).

Item 3 on the agenda

Draft decision of the European Council establishing the composition of the European Parliament (consent procedure)

2013/0900(NLE)

Co-rapporteurs: Mr GUALTIERI (S&D, IT) and Mr TRZASKOWSKI (EPP, PL)

- Adoption of a recommendation

Chairman CASINI (EPP, IT) welcomed the acceptance by the European Council of the main substance of the EP proposal.

Co-rapporteur GUALTIERI (S&D, IT) said that only minor changes – affecting neither the seats' apportionment nor the substance of the EP proposal – had been introduced by the European Council. He thanked fellow MEPs for their support in the preparation of the EP proposal, and stressed that the next EP proposal would have to fully take into account the general institutional balance, including voting rights in the Council. Co-rapporteur TRZASKOWSKI (EPP, PL) fully concurred with Mr GUALTIERI.

Mr RANGEL (EPP, PT) felt that, although the changes made by the European Council were not fully satisfactory, the fact that Recital 5 and Article 4 now made reference to institutional balance was important for small and medium sized Member States. He welcomed the constructive spirit showed by all Member States, and said – with the support of Mr DUFF (ALDE, UK) – that the best forum to deal with the apportionment of MEPs seats would be a full-scale Convention.

Mr DUFF (ALDE, UK) felt that the EP had proved its maturity in reaching a position which commanded the support of the European Council. Mr MOREIRA (S&D, PT) stressed that Recital 5 and Article 4 of the Draft European Council Decision were fully consistent with the EP proposal.

Ms GIANNAKOU (EPP, EL) opposed the changes made by the European Council, which she attributed to the pressure exerted by bigger Member States. She felt that AFCO had suffered a political defeat, and announced that she would vote against the Draft European Council Decision. Mr BRONS (NI, UK) also made clear that we would vote against the Draft Decision.

Mr GUALTIERI took the view that the changes made by the European Council to Article 4 and Recital 5 actually strengthened the need to take into account the institutional balance when deciding on the EP composition. He said that the EP had to be coherent with the Resolution it voted, and stressed that this was the first time that a European Council Decision was so close to the EP proposal. Mr TRZASKOWSKI recalled that many had doubted that the EP would be able to table a consensual proposal, and warned that voting against the draft European Council Decision would send a wrong message.

Following the debate, AFCO adopted by a wide majority a recommendation endorsing the draft European Council Decision on the EP composition.

Item 4 on the agenda

**Meeting with Maroš Šefčovič, Vice-President of the European Commission
responsible for Inter-Institutional Relations and Administration**

AFCO/7/02684

- Exchange of views

Vice-President ŠEFČOVIČ indicated that, in accordance with the Framework Agreement, the EP would be involved in the preparation of the 2014 Commission Work Programme, but said that the number of major legislative initiatives would have to be limited in view of the incoming EP elections. Vice-President ŠEFČOVIČ recalled that the Commission had recently adopted recommendations, inviting in particular European Political Parties (EUPPs) to nominate a candidate for European Commission President, and hoped that this would make the next EP elections more European. He thanked Mr DUFF (ALDE, UK) for his report on the preparation of the next EP elections, which he felt showed a convergence of views between the Commission and the EP.

Vice-President ŠEFČOVIČ also thanked Ms GIANNAKOU (PPE, EL) and Mr CASINI (PPE, IT) for their work on EUPPs. He was encouraged by the progress made recently, and hoped that a legally sound and politically acceptable compromise could be found under the Irish Presidency. He stressed that the key issue was implementation, but said that the Commission had serious doubts regarding the Council proposal to create a new body, and preferred instead having recourse to an EP internal body responsible for the quasi-automatic registration of EUPPs and to provide for a strong consultative role for the Committee of independent and eminent persons (CIEP) regarding compliance with EU values. He also indicated that other issues, relating e.g. to the funding of referenda campaigns and to the relation of the Regulation with national law, still had to be addressed.

Vice-President ŠEFČOVIČ acknowledged the technical problems encountered in the implementation of the European Citizens' Initiative (ECI), but stressed that 14 initiatives has been registered, one of them claiming to have reached the required thresholds.

Vice-President ŠEFČOVIČ welcomed the intensification of relations between the EP, national parliaments and the Commission, as shown in particular by the growing number of opinions and letters sent by national parliaments to the Commission. He stressed the need for an increased involvement of national parliaments in the European Semester, welcoming in that respect the EP's efforts to create a forum for discussion (European week, inter-parliamentary committee meetings) as well as the agreement recently reached on the implementation of Article 13 TSCG.

Mr TRZASKOWSKI (EPP, PL) said that the Commission and the EP agreed on the approach to the 2014 elections, but expressed surprise at the lack of Council work on that issue. He regretted the lack of progress on EUPPs, and – noting that the Commission and the EP thought along the same lines regarding the role of the CIEP and the distinction between registration and verification – called on both institutions to show a united front vis-à-vis the Council. Mr BROK (EPP, DE) said that the EP had to be ready to take up an institutional battle with the Council on the nomination of the next Commission President.

Mr GUALTIERI (S&D, IT) called on the Commission to use its communication means to raise citizens' awareness regarding the incoming EP elections and said he would welcome the Commission's support to the EP's efforts to implement Declaration n°11. Regarding EUPPs, he said that it was not clear whether the problems raised by Member States were insurmountable or not, and called for the negotiation of an IIA on the European Semester in order to ensure adequate democratic legitimacy and to introduce de facto co-decision.

Mr DUFF (ALDE, UK) hoped that the EP would clear as many legislative proposals as possible before the next elections, and expected the July EP Resolution on the 2014 Commission Work Programme to address this issue. He felt that some Member States did not fully appreciate the impact of the election by the EP of the Commission President. Mr DUFF further hoped that progress could be made on the revision of the EP-Commission Framework Agreement, that the reform of the 2003 IIA on Better Law Making could be included in 2014 Work Programme, and that the EU's accession to the ECHR could be finalized before the 2014 elections.

Regarding the EUPPs, Ms GIANNAKOU felt that the situation in the Council was unclear, and called on the EP and the Commission to work together. Ms GURMAI (S&D, HU) regretted that the Council was not as cooperative as the Commission on this dossier. Mr BRONS (NI, UK) felt that the application to de-register two EUPPs was unfounded, and asked for the disclosure of the applicants' identity.

Mr HÄFNER (Greens/EFA, DE) welcomed the acknowledgement by the Commission of the difficulties encountered in the ECI operation, which he felt were in part due to the complexity of its implementation in Member States.

Vice-President ŠEFČOVIČ said that the Commission would use all its communications channels to 'Europeanise' the 2014 elections. Regarding the EP proposals on the preparation of the elections, he stressed that the Lisbon Treaty had to be respected, in particular regarding the approval of the composition of the Commission.

Vice-President ŠEFČOVIČ said that the slow progress on EUPPs was surprising given the extensive consultations carried out by the Commission prior to the presentation of the proposal. He stressed that the Commission did not share the Council Legal Service position on implementing powers, and hoped that a breakthrough could be achieved during the trilogue on 11 June. He felt that the Council should be convinced that it could be part of the process.

Vice-President ŠEFČOVIČ said that the experience in the implementation of the Framework Agreement had been positive and stressed that, should it need to be revised, the Council should be involved in the discussion, e.g. on international negotiations. He also hoped that the EU's accession to the ECHR could be finalized before the next elections and that the revision of the ECI Regulation would allow for more unified and lighter approach: He looked forward to the incoming COSAC discussion on the European Semester's democratic scrutiny.

Next meeting(s)

- 17 June 2013, 17.00 – 18.30 (Brussels)
 - 18 June 2013, 9.00 – 12.30 (Brussels)
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