

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

Maroš ŠEFČOVIČ

Vice-President-designate for Interinstitutional Relations and Foresight

1. General competence, European commitment and personal independence

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? How will you contribute to putting forward the strategic agenda of the Commission? How will you implement gender mainstreaming and integrate a gender perspective into all policy areas of your portfolio? What 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?

I believe I hold the right qualifications and professional experiences to contribute to the European general interest.

Since the completion of my University studies in international relations and following my entry into the diplomatic service in 1990, I have been actively involved in EU affairs for almost two decades. I have acquired detailed knowledge of EU institutions and showed constant dedication to the EU project. First as Permanent Representative of Slovakia to the EU, later Commissioner for Education, Training, Culture and Youth (at the end of Barroso I), Commission Vice-President for Inter-institutional Relations and Administration (under Barroso II) and Vice-President for Energy Union, one of the ten main priorities in the current mandate.

In the last ten years, I have strived to promote the European interest, to build strong relations with the EU institutions and help Europe take the lead in the clean energy transition. In particular, I am proud of our far-reaching initiatives that are both, innovative and with a strong social dimension, namely the European Battery Alliance, the Coal Regions in Transition Initiative, Smart Financing for Smart Buildings or the European Investment Advisory Hub (URBIS). I have also contributed actively to the College debates and decision-making.

A close relationship and constructive cooperation with the European Parliament have been my key guiding principles throughout my service as a Member of the Commission.

During my first mandate as Vice-President for Inter-institutional Relations and Administration, I have for instance negotiated the Framework Agreement with the European Parliament on behalf of the Commission. As Vice-President for the Energy Union, I have worked very closely with the co-legislators to help build consensus on all legislative proposals

under this project. In line with my conviction that the Energy Union cannot solely be built in Brussels, I have engaged with Members of the European Parliament – as well as with national parliamentarians – to involve them in different projects, including in the Energy Union Tour in the Member States. Similarly, in close collaboration with Members of the European Parliament, I have made sure that our work under the Coal Regions in Transition Initiative reaches their respective constituencies and extends beyond the Commission’s present mandate.

If I am confirmed as Vice-President, I would want to build on this experience to consolidate our strategic partnership with the European Parliament and thus help improve democratic legitimacy in Europe.

The European Parliament is central to President-elect Ursula von der Leyen’s vision to give citizens a greater say in shaping our agenda and stepping up our ambitions. A stronger European Parliament means a stronger Europe.

This also means treating the European Parliament and the Council on an equal footing, and developing our political relations with national parliaments.

President-elect von der Leyen has committed to reinforcing the special relationship that we have with the European Parliament. This is key to strengthening the links between citizens and the institutions that serve them, in order to narrow the gap between expectations and reality - and to communicate better how Europe is working for them.

Our special relationship should be one to the benefit of citizens.

With this in mind, I will make sure that together with all my colleagues in the College, we work arduously in good cooperation with the European Parliament to fulfill that objective, throughout the mandate. The different elements of this engagement are detailed in response to the next question.

If I am confirmed as a Vice-President, I will further strengthen the implementation of gender mainstreaming. Gender mainstreaming is already enshrined in the Treaty on the Functioning of the European Union, according to which, ‘in all its activities, the Union shall aim to eliminate inequalities and to promote equality between men and women’. It is also part of the Commission’s ‘Strategic engagement for gender equality 2016-2019’, which states that promotion of gender equality is to be ensured by applying a gender-equality perspective into every aspect of EU interventions.

President-elect von der Leyen has put gender equality high on her agenda and committed to lead by example by forming a fully gender-balanced College. I intend to apply the same principle to my team.

I am also committed to build on the No-Women-No-Panel initiative launched in February and aim that public events organised by the Commission feature gender-balanced panels.

A new gender strategy presents an opportunity to further develop the concept and application of gender mainstreaming across EU policies. A strengthened application of gender mainstreaming in policy-making makes better use of resources, makes policy more efficient, supports sustainable development and creates fairer societies. I believe it is important to

continue considering gender impacts when preparing all Commission proposals. Such impacts are reflected in the explanatory memorandum accompanying a proposal when they are significant.

Finally, I commit to comply without fail, if and as soon as I am appointed, with the Treaty obligations on independence, transparency, impartiality and availability, as defined in Article 17(3) of the Treaty on European Union and in Article 245 of the Treaty on the Functioning of the European Union.

During my previous and current mandate as Member of the College, I have met all obligations towards the institution, including by submitting and updating all declarations of financial interests as required. I also fully respected the letter and spirit of the EU Treaties and the obligation to act in the European interest.

If I am confirmed as Member of the College, I will continue to fully respect the letter and spirit of the Treaty. In particular, I will respect the obligation to act in the European interest and without taking any instructions from any government or any other body. I will also honour the Code of Conduct of Members of the European Commission and its provisions on conflicts of interest. My Declaration of Interests is complete and accessible to the public, and I will update it rapidly, should any change be required.

2. Management of the portfolio and cooperation with the European Parliament

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? 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? 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?

Engagement with the European Parliament is of paramount importance to me.

If confirmed as Member of the College, I will take full political responsibility for the activities in my area of competence, as set out in the Mission letter sent to me on 10 September 2019. I attach great importance to the principle of collegiality and will collaborate fully with other Members of the College to that effect. I will closely involve my fellow Colleagues in the development and implementation of our priority initiatives.

I would in particular strive to make sure that we build robust policies on the basis of a wide consensus of pro-European forces, through our strategic partnership with the European Parliament.

Effective and sincere interinstitutional cooperation is essential for the EU's institutional system to work, and for the efficiency and legitimacy of the EU decision-making system. It relies on certain guiding principles that I am fully committed to follow. These include openness, mutual trust, efficiency, and regular exchange of information. President-elect Ursula von der Leyen's Political Guidelines and Mission Letters fully reflect these principles, and stress the objective to reinforce the special relationship between the European Parliament and the Commission.

If confirmed as Vice-President for Interinstitutional Relations and Foresight, I will vigorously work towards this objective and in doing so I will make sure the provisions of the 2010 Framework Agreement on relations between the European Parliament and the Council and the 2016 Interinstitutional Agreement on Better Law-Making are respected and implemented in full.

As means of example:

Follow-up to Parliament's positions and requests for legislative initiatives

President-elect Ursula von der Leyen supports a right of initiative for the European Parliament's. She committed that when Parliament, acting by a majority of its members, adopts resolutions requesting that the Commission submit legislative proposals, the College will respond with a legislative act, in full respect of proportionality, subsidiarity and better law-making principles.

As part of this commitment, I will make sure all the Members of the Commission work closely with the relevant parliamentary Committees, and are active and present during the preparation of resolutions under Article 225 of the Treaty on the Functioning of the European Union. I will also make sure that such resolutions are discussed at College level in a timely manner.

I strongly believe that this will improve dialogue, foster confidence and a sense of working together towards a common goal.

The Commission will effectively respond to Parliament's resolutions within three months after their adoption, in accordance with the Framework Agreement.

General cooperation

I will support the President-elect Ursula von der Leyen in her stated objectives to have all Commissioners work hand in hand with the European Parliament at every stage of the policy-making process and the political dialogue – thus increasing our participation at political level in all relevant committee meetings and trilogue discussions.

I will ensure that parliamentary committees are involved in any major developments under my responsibility. I will ensure equal treatment of the Parliament and the Council during the ordinary legislative procedure and as a Member of the College who is accountable to directly elected Members of the European Parliament.

Commission work programme, joint declaration and multi-annual programming

I will pursue the practice of organising an annual meeting between the Conference of Committee Chairs and the whole College, before approval of the Commission work programme. We will also continue to open the discussions on that basis with the co-legislator to establish joint priorities listed in the Joint Declaration.

Finally, I will work actively with the Parliament and the Council to help prepare for the first ever Multiannual Programme, in accordance with the EU treaty (Article 17(1) of the Treaty on the European Union) and the Interinstitutional Agreement on Better Law-Making.

Foresight

I see a very strong case for linking interinstitutional relations with strategic foresight.

I plan to thoroughly discuss the future yearly foresight report with the European Parliament. This should give an opportunity to assess current and upcoming disruptive factors, and the way we can collectively build a culture of resilience and preparedness in the face of mounting threats, changing work patterns, rising inequalities, the clean energy transition and accelerated industrial transformation (including digitalisation). As part of the foresight, we should agree on a common vision, a toolbox for policy action, stakeholders' engagements and other collaborative strategies.

This will provide our institutions with an occasion to develop a strong narrative to transform our long-term vision into reality, looking at all policy initiatives (not just legislative) to equip our citizens with the means to cope with the winds of change and become increasingly confident in their capacity to shape their future, also leading to less polarised political discourses.

This should give solid foundations for discussing the alignment of our strategic priorities, agenda-setting and policy-making at EU level, resulting in foresight being a consensual, integral part of the multiannual programming.

Better Regulation

I want to work with the European Parliament to make sure our legislation meets the highest quality standards and is evidence-based.

An effective interinstitutional dialogue will also be crucial to implementing the Better Regulation agenda (notably upholding the principles of subsidiarity and proportionality, more robust impact assessment, stakeholders consultation, Regulatory Fitness and Performance Programme (REFIT), evaluation, simplification and cutting red tape) and respecting the Interinstitutional Agreement on Better Law-Making.

Transparency

President-elect Ursula von der Leyen's Political Guidelines stress that in order to regain citizens' faith in the Union, our institutions should be open and beyond reproach on transparency issues. I will work closely with the European Parliament and Council for more transparency throughout the legislative process. Citizens should know who we, as institutions that serve them, meet and discuss with and what positions we defend in the legislative process. Strengthening interinstitutional cooperation by promoting transparency and accountability will boost the trust in EU institutions.

I am therefore fully committed to implementing the wide-ranging provisions on transparency and the flow of information in the Framework Agreement on relations between the European Parliament and the Commission and the 2016 Interinstitutional Agreement on Better Law-Making. In particular, I will ensure that these provisions are respected in my structured dialogues and other contacts with Parliament committees.

I will continue to support the setting up of a Joint Database on legislative files in cooperation with the other institutions, as agreed in the 2016 Interinstitutional Agreement on Better Law-making. Some more work will moreover be needed for the integration of the implementing

and delegated acts register, and the finalisation of the interinstitutional negotiations on the Transparency Register.

Provision of information and documents

Further to my statement above about ensuring that parliamentary committees are involved in any major developments under my responsibility at the same time as and on an equal footing with the Council, I am fully aware that the provision of information and documents is an essential aspect of deepening the partnership between the European Parliament and the Commission. I therefore commit to fully implement the relevant provisions of the Framework Agreement between the two institutions, and of the Interinstitutional Agreement on Better Law-Making.

Questions from the Committee on Constitutional Affairs

3. EP right of initiative

In addition to the commitment taken by the President-elect to follow up with a legislative act to EP resolutions requesting the Commission to submit legislative proposals, could you indicate which other concrete commitments you are ready to take to strengthen Parliament's right of initiative - in general terms or in specific policy areas - in particular as regards proposals for treaty change, a modification of the Framework Agreement between the European Parliament and the Commission and/or a modification of the IIA on Better Law-making?

What legislative follow-up are you willing to give to Parliament's resolution of 25 October 2016, adopted pursuant Article 225 TFEU asking the Commission a legislative initiative on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights (P8_TA(2016)0409)?

I support, as set out by President-elect von der Leyen in the Political Guidelines, a right of initiative for the European Parliament. I am committed to make this work in order that the Commission can respond to Parliamentary resolutions adopted pursuant to Article 225 of the Treaty on the Functioning of the European Union by a majority of its Members with a legislative act, in full respect of the principles of proportionality, subsidiarity and better law making.

To ensure swift follow up to such legislative resolutions, our institutions have to engage in a constructive and transparent dialogue upfront.

The Commission will propose to work hand-in-hand with the European Parliament at every stage of designing and debating such resolutions. In practice, I will make sure all members of the Commission work very closely with their respective parliamentary committees from the beginning. We should put into place an early mechanism to ensure permanent dialogue between the Commission and the Committees. All members of the College should also stand ready to discuss the conception and preparation of parliamentary resolutions and work hand in hand with MEPs at every stage of designing and debating them.

This will improve dialogue, foster confidence and a sense of working together towards a common goal. Furthermore, close cooperation between the Parliament and the Commission

from the early stages onwards will help facilitate understanding on substance to the maximum extent.

Once a resolution is adopted, I will ensure that the College of Commissioners is made aware of it and holds a political discussion on the issues raised therein. The new Commission working methods will enshrine this new process at political level to make sure that the members of the College will throughout accompany, discuss and finally respond to TFEU Article 225 resolutions.

The Commission will inform the European Parliament within three months of the adoption of the corresponding resolution in plenary, in accordance with the Interinstitutional Agreement on Better Law-Making¹. I will in particular make sure that the response to the EP resolution is given in the most rapid and efficient way.

In my role as a Vice-President for Interinstitutional Relations and Foresight, I will work closely with all Members of the College to ensure that this process is fully respected and reflects our interinstitutional discussions on multiannual planning.

More generally, we will organise from the outset of the mandate an exchange of views on the principal policy objectives and priorities of the three institutions for the new term as well as, whenever possible, an indicative timing, in accordance with the 2016 Interinstitutional Agreement on Better Law-Making (para 5).

In her Political Guidelines, the President-elect gave particular emphasis to the rule of law and proposed a comprehensive rule of law mechanism with an EU-wide scope and objective annual reporting. She has also stressed the need for a stronger role for the European Parliament and this is taken forward by the Vice-President for Values and Transparency and the Commissioner for Justice, in particular in the form of an annual rule of law review cycle covering all Member States.

4. EP right of inquiry

What tools do you consider indispensable for a meaningful right of inquiry for the European Parliament, in order to provide the Parliament with a new legal framework strengthening its powers of inquiry, in accordance with Article 226 TFEU? Can you commit to sparing no effort for relaunching the stalled negotiations on a regulation governing the exercise of Parliament's right of inquiry and actively engage the Commission in the process?

The Treaty on the Functioning of the European Union² recognises the European Parliament's role of scrutiny and political control. I believe the aim of any tools or instruments giving effect to these provisions is to guarantee that allegations about contraventions or maladministration in the implementation of Union law are properly addressed and can be remedied.

¹ Interinstitutional Agreement on Better Law-Making, OJ L 123, 12.5.2016, pp. 1-14.

² Article 226 of the Treaty on the Functioning of the European Union stipulates that the European Parliament, acting on its own initiative in accordance with a special legislative procedure, after obtaining the consent of the Council and the Commission, shall determine the detailed provisions governing the exercise of the right of inquiry.

In this context, I have full understanding for the Parliament's attempts to have an updated instrument in place and thus replace the Decision 95/167/EC on the detailed provisions governing the exercise of the European Parliament's right of inquiry by an up-to-date fit-for-purpose Regulation proposed by the European Parliament that meets the consent of the Commission and the Council.

The European Parliament adopted a proposal in 2012 to review the system, to which it has made several consecutive (formal or informal) modifications. The Commission has engaged with the European Parliament in a constructive exchange on the proposed review that allowed finding common ground on a number of elements.

I understand that I also take note of the latest 'non-paper' endorsed by the Parliament's Committee on Constitutional Affairs in April 2018. The non-paper contains several constructive proposals from the Commission's perspective regarding (i) the rules on the setting up of a committee of inquiry, (ii) the procedural rules applying to its investigations, (iii) the introduction of a central contact point for inquiry, (iv) references to Regulation 45/2001³ (replaced by Regulation 2018/1725⁴) and to the Framework Agreement between the European Parliament and the European Commission⁵.

There are still legal and institutional concerns that remain to be solved during the interinstitutional negotiations.

I do agree that there is a need to have an adequate instrument, which fully respects institutional prerogatives and the relevant legal frameworks of the Member States. I am therefore willing to engage in a constructive trilateral discussion in order to find appropriate solutions to the pending issues that are still on the table.

Questions from the Committee on Legal Affairs

5. Paragraph 10 of the Interinstitutional Agreement on Better Law-Making of April 2016 requires that the Commission should give prompt and detailed consideration to requests for proposals for Union acts made by the European Parliament pursuant to Article 225 of the Treaty on the Functioning of the European Union. Article 225 TFEU obliges the Commission to inform the European Parliament of the reasons for not submitting a proposal when Parliament has so requested.

The Parliament regrets that, despite the fact that Commission responses to those Article 225 TFEU based resolutions are more and more detailed and timely, they seem to come from the Commission services rather than present a political reaction of the College to Parliament's resolution. As Commissioner-designate to implement the Interinstitutional Agreement on Better Law-Making, how do you intend to put

³ Regulation (EC) 45/2001 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, OJ L 8, 12.1.2001, p. 1.

⁴ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

⁵ OJ L 204, 20.11.2010, p. 47.

remedy to this situation? As a Vice-President in charge of interinstitutional relations, how do you intend to ensure in practical terms that the commitment expressed in Mission letters of all Commissioners-designate with regards to the strengthening of the Commission's special partnership with the Parliament and in particular with regards to the right of initiative for the Parliament is fulfilled? How does the intention for the Commission to be "active and present during the preparation of resolutions requesting that the Commission legislate" will translate into practice and how will you ensure that the Parliament is respected in that process?

In the Political Guidelines, President-elect von der Leyen committed that her Commission will respond to Parliamentary resolutions adopted by a majority of its members pursuant to Article 225 of the Treaty on the Functioning of the European Union with a legislative act, in full respect of the principles of proportionality, subsidiarity and better law making.

As also set out in my response to the Committee on Constitutional Affairs, the Commission will propose to work hand-in-hand with the European Parliament at every stage of designing and debating such resolutions. In my role as a Vice-President for Interinstitutional Relations and Foresight, I will encourage all Members of the Commission to work closely with the European Parliament, notably its committees, as from the very early stages of an Article 225 process and in full respect of the European Parliament's prerogatives. In practice, the Commission will stand ready to discuss any such proposal with EP Committees in charge, its compliance with the principles of subsidiarity and proportionality, with better law making rules, prior to the adoption of the resolution by the plenary. This will improve dialogue, foster confidence and a sense of working together towards a common goal. Furthermore, close cooperation between the Parliament and the Commission from the early stages onwards will help facilitate understanding on substance to the maximum extent.

In my role as a Vice-President for Interinstitutional Relations and Foresight, I will duly follow-up on the commitment of the President-elect to ensure the Commission respond with a legislative proposal to resolutions of the European Parliament under Article 225 of the Treaty on the Functioning of the European Union, in full respect of the principles of proportionality, subsidiarity and better law making. I will ensure the College assesses any resolution and thereby provides a political reaction.

The Commission will inform the European Parliament within three months of the adoption of the corresponding resolution in plenary, in accordance with the Interinstitutional Agreement on Better Law-Making⁶.

- 6. On 7 December 2018, the Commission submitted a Coordinated Plan on Artificial Intelligence. The Commission acknowledges in that Plan that Artificial intelligence (AI) is transforming our world, for example, by improving products, processes and business models in all economic sectors. AI also transforms public services. The changes brought by AI raise a number of issues starting with ethical concerns and civil liability questions. Our citizens express both excitement and fears as to the further development of AI and its practical implications for their jobs, education and consumption models and businesses. International competition is fiercer than ever with massive investments in the US and China. The 2018 Plan though does not seem**

⁶ Interinstitutional Agreement on Better Law-Making, OJ L 123, 12.5.2016, pp. 1-14.

to refer to how the changes brought by AI should be reflected in EU legislation and how previous legislation should be updated to the current state of affairs, in which AI is called to play a prevalent role.

The President-elect would like to entrust you with the task of chairing the REFIT Platform so you will have the privilege to bring to the College proposals on how to make EU regulation more efficient and effective on the basis of the discussion in the platform. What initiatives do you envisage to take in order to ensure that AI is duly taken into consideration by the REFIT Platform when checking the fitness and performance of existing legislation, without undermining the relevant data protection (GDPR) and privacy rules?

Artificial Intelligence will enable a wide-scale automation of decisions and processes that has an enormous potential to increase efficiency and productivity across all economic sectors. At the same time, this technology, which is based on self-learning and self-improving algorithms, can raise a multitude of policy issues as regards for instance accountability and social acceptance.

The regulatory framework for Artificial Intelligence, announced by the President-elect in the Political Guidelines, will ensure that the development and deployment of Artificial Intelligence systems in products and services is undertaken in full respect of fundamental rights, and functions in a trustworthy manner (lawful, ethical and robust) across the EU single market.

Such an approach will provide regulatory clarity, inspire confidence and trust, and create a competitive advantage and incentivise investment in European industry. It should improve the development and uptake of Artificial Intelligence in the EU while protecting Europe's innovation capacity.

Our work on Artificial Intelligence will of course build upon the existing policy framework that was put in place by the outgoing Commission, including the "Artificial Intelligence for Europe" strategy of April 2018, the Coordinated Plan on Artificial Intelligence of December 2018 and the recent Communication setting out the European approach on ethical issues concerning Artificial Intelligence.

As indicated in President-elect von der Leyen's mission letter to me, it will be my responsibility to chair the REFIT Platform, an expert group that will provide advice to the Commission on how to simplify EU laws and reduce burdens for the final beneficiaries and users.

This Platform will be an important source of information on the impacts of Artificial Intelligence on administrative burdens from those directly concerned. As a Chair of the new Platform I will also ensure that it fully takes into consideration Artificial Intelligence when looking at the performance of existing legislation. The Platform will act in full compliance with data protection rules (GDPR), abiding to the highest standards of EU data protection.

As chair of the REFIT Platform, I am fully committed to respond to all its opinions and ensure that they duly inform our decision-making process. To ensure that all aspects are taken into account, I will closely work with the Vice-President responsible for a Europe fit

for the digital age, the Commissioner responsible for Justice and the Commissioner responsible for Research and Innovation.

More generally, I want to make sure that the REFIT process not only looks backwards at the evaluation of how our policy instruments performed in the past, but has also a strong element of foresight in it to guarantee the efficiency of our policies. From this perspective, the example of Artificial Intelligence is an excellent one. I plan to renew the mandate of the REFIT platform (to 'Fit-for-Future'). I will also make sure the European Parliament is kept closely involved and informed.

7. The 2016 Interinstitutional Agreement on Better Law-making remains in implementation phase. How do you intend to facilitate and accelerate the negotiations concerning practical arrangements for cooperation and information-sharing concerning international agreements and on the RPS alignment and how do you intend to put into practice the non-binding criteria for application of Articles 290 and 291 TFEU?

The Interinstitutional Agreement on Better Law-making is in force since 2016. It remains valid and relevant, while correct implementation and continuous engagement of the European Parliament, the Council and the Commission remain a priority. Under Paragraph 50 of the Agreement, the European Parliament, the Council and the Commission are to monitor the implementation of the agreement jointly and regularly. In the spirit of ensuring a permanent dialogue between the Commission and the European Parliament, being a matter of priority as stated in the Political Guidelines of the President-elect, I commit to a regular political dialogue with the other institutions on the implementation of the agreement to identify possible areas of improvement.

On Paragraph 40 regarding international agreements, negotiations between the three institutions to elaborate on practical arrangements for cooperation and the exchange of information concerning international agreements have made considerable progress but were not concluded. In line with the Interinstitutional Agreement on Better Law-Making (Paragraph 40), I will encourage all parties to resume the political negotiations and am ready to engage further with the Council and Member States to bring this process to a conclusion.

As regards the Commission, in light of the President-elect's commitment to ensure a high degree of transparency, as the Vice-President for Interinstitutional Relations I will encourage my colleagues to regularly brief the European Parliament, notably before major events and at key stages on international negotiations. I will notably work in close association with the High Representative who is in charge of coordinating external action and of the information to the European Parliament. I am committed to the full implementation of the provisions of the Framework Agreement and of the Interinstitutional Agreement on Better Law-Making, including ensuring equal treatment of the European Parliament and the Council as regards provision of information and documents.

In the area of delegated and implementing acts, the three institutions together have made real progress over the last years. Following the Commission's legislative proposals to align 168 legislative acts still making reference to the regulatory procedure with scrutiny (and for three such acts in the area of Justice), the European Parliament and Council agreed on

the alignment of 64 of these acts earlier this year in Regulation 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union. As regards the remaining acts, the three institutions acknowledged in a joint statement the need to give high priority to the prompt alignment of all basic acts which still refer to the regulatory procedure with scrutiny. I am fully committed to work with Parliament and Council towards an agreement and stand ready to take up the negotiations on this remaining part swiftly.

Earlier this year the three institutions also agreed on a set of non-binding delineation criteria on the application of delegated and implementing acts, which were published in the Official Journal in July. These criteria will facilitate and rationalise the discussions on the choice of empowerment. Putting them in practice is a task for all three institutions. For the Commission this means in the first place to make sure that these criteria are taken into account when drafting legislative proposals. The European Parliament and the Council will in turn have to make sure that these criteria are respected and applied in the legislative negotiations, and the Commission will play an active role to this end. The three institutions have furthermore agreed that the implementation of these criteria may be discussed annually at both political and technical level, as part of the general monitoring of the implementation of the Interinstitutional Agreement on Better Law-Making. I make sure we follow up on that commitment.

An important element to explain the use of delegated acts more generally, but also to facilitate the alignment and the application of the delineation criteria, is that the Commission fully honours the commitments which it gave in the Interinstitutional Agreement on Better Law-Making, notably to systematically consult Member State experts and to inform the European Parliament. I will ensure that the Commission fully lives up to these commitments. The new register of delegated acts which our three institutions developed and launched together at the end of 2017 has significantly increased transparency and mutual trust in this area. This register is the first interinstitutional online governance tool ever. It provides an integrated view of the lifecycle of delegated acts. Work has also started to improve the register documenting work on implementing acts – the Comitology register – and should be completed by 2020, and integrated with the delegated acts register.

Question from the Committee on Petitions

- 8. The Committee on Petitions deals with a significant number of petitions submitted by concerned citizens who are not satisfied with the application or implementation of EU law. Roughly 2/3 of these petitions are forwarded to the Commission for a detailed investigation on the subject matter. The Committee has noticed that the Commission, in its replies, more frequently concludes that “*certain individual cases of alleged incorrect application can often be satisfactorily dealt with by other, more appropriate mechanisms at (EU and) national level*” and that “*as a general rule it direct complainants to the national level, if legal protection is available*” (Communication “EU law: Better results through better application).**

How do you concretely intend to strengthen the Commission’s role as guardian of the Treaties and to ensure that alleged incorrect application of EU law is properly

followed up and remedied at EU level instead of repeatedly referring petitioners to national level?

The Commission places great value on the contribution of citizens, businesses and other stakeholders in detecting breaches of EU law. Infringement procedures are often opened on the basis of the information provided by complainants. This makes a valuable contribution to our role as guardian of the Treaty.

In the 2016 Communication ‘EU law: Better results through better application’, the Commission set out a more strategic approach to its enforcement policy. This meant targeting the most important breaches of EU law affecting the interests of its citizens and businesses. This approach has paid dividends in advancing policy-specific areas (such as the protection of the environment or of the rule of law).

If there is effective legal protection available, as a general rule the Commission directs complainants to the bodies best equipped to handle the complaint and to provide a rapid response to the underlying issue. The focus is on getting results. The Commission continues to play its role of guardian of the Treaty and to handle cases where for example, national law is not in order or where an individual complaint points to a general practice that is incompatible with EU law, or to a systemic failure to comply with EU law. The Commission will also continue to handle cases where no other means of redress are available.

I stand ready to come to the Committee on Petitions upon the presentation of its annual report. Moreover, should there be a significant number of petitions on a given topic, I will encourage the presence of the responsible member(s) of the College to come and discuss this at the committee meeting at which these petitions are debated, to see what can be done to remedy the concerns expressed. More generally, the Commission will work closely with the Committee to guide, advise and encourage citizens to use the most appropriate problem-solving mechanism. It goes without saying that in doing its work, I will make sure the Commission continues to observe the standards of good administrative behaviour in its relations with citizens and meet its obligations of good administration when handling complaints of petitioners about breaches of EU law.